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REPORTS

FROM

COMMITTEES:

SIXTEEN VOLUMES.

—*(6.)*—

ELECTIONS:

YARMOUTH AND YORK.

Session

19 *February*——10 *September* 1835.

VOL. X.

1835.

REPORTS FROM COMMITTEES:

1835.

SIXTEEN VOLUMES:—CONTENTS OF THE

SIXTH VOLUME.

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REPORT

FROM

SELECT COMMITTEE

ON

GREAT YARMOUTH ELECTION PETITIONS;

TOGETHER WITH THE

MINUTES OF EVIDENCE.

Ordered, by The House of Commons, *to be Printed,*
14 *August* 1835.

Martis, 14° *die Julii*, 1835.

Ordered,

THAT the Petitions from Great Yarmouth (presented 26th and 30th June), alleging, among other things, that the sum of Two Guineas has been lately paid to many of the Voters at the house of one of the most active partisans in behalf of the Sitting Members, be referred to a Select Committee.

Jovis, 16° *die Julii*, 1835.

A Committee was accordingly appointed, of—

Mr. Pease.	Mr. Nicholl.
Lord Francis Egerton.	Mr. Tancred.
Mr. Mark Philips.	Mr. Young (of Cavan).
Sir John Yarde Buller.	Mr. Hardy.
Mr. Elphinstone.	

Ordered, That the Committee have power to send for Persons, Papers and Records.

Ordered, That Five be the Quorum of the Committee.

Ordered, That the Committee do report the absence of any Member on two consecutive days.

Veneris, 14° *die Augusti*, 1835.

Ordered, That the Committee have power to report the Minutes of the Evidence taken before them.

REPORT.

THE SELECT COMMITTEE on the PETITIONS from GREAT YARMOUTH (presented 26th and 30th June,) alleging, among other things, that the sum of Two Guineas has been lately paid to many of the Voters at the house of one of the most active Partisans in behalf of the Sitting Members; and who were empowered to report their Opinion thereupon, together with the MINUTES of the EVIDENCE taken before them:——HAVE examined the matters to them referred, and agreed to the following REPORT:

YOUR COMMITTEE, in addressing themselves to the discharge of the duty imposed on them, conscious, collectively and individually, of that total absence of previous knowledge of all the circumstances referred to them, which they had reason to consider as a principal ground of their selection by The House, found it expedient to prosecute their inquiry in a form suggested to them by the Petitioners, by admitting before them in the outset of their proceedings a professional agent for those parties.

Aware that the main question referred to them was that of the occurrence or non-occurrence of certain practices at the late Election, and anxious to obtain all information calculated to bring that question to a just and timely decision, they yet felt, that should the allegations of the Petition be substantiated, the proof of the acts would in all probability involve the detection and specification, more or less ample of their authors, and that they were therefore bound to secure as far as possible to parties threatened with serious accusations the means of defence. With this view they adopted the following series of Resolutions:—

1.—*Resolved*, That any person or persons on the Register of Voters for the election of Members to serve in Parliament for Yarmouth or York, or the Sitting Member or Members of those towns respectively, shall, on making application for that purpose, be admitted as a party to oppose the case of the Petitioners from those towns respectively.

2.—*Resolved*, That the Agent for the Petitioners in the Yarmouth case shall, on or before the 23d of July instant, and the Agent for the Petitioners in the York case shall on or before the 30th July instant, deliver to the Clerk of the Committee a written list of the names and last known places of abode of all persons who are intended to be charged on the trial of such Petitions respectively with any offence alleged in the Petition, and shall cause a written notice to be personally served upon each of such persons, or left at his or her last known place of abode on or before the 25th and 30th days of July instant respectively.

3.—*Resolved*, That a copy of such lists respectively shall be laid before this Committee at its first meeting, to proceed to take evidence on the case to which such list refers; and this Committee will in every case permit every such person to attend and cross-examine any witnesses produced before this Committee for the purpose of criminating such person, or to adduce evidence for the purpose of answering such charge.

4.—*Resolved*, That if any evidence is given to prove that any person, not having had notice as hereinbefore mentioned, has been guilty of any offence alleged in these Petitions, this Committee, if thereunto required, and if it shall think that the evidence given is sufficient to put such person on his defence, will enter into such evidence as may be adduced for the purpose of answering such charge.

Your Committee have to observe that in adopting the above Resolutions, it was by no means their view or intention to admit any party receiving notice to the right, subsequently claimed by some, of assuming the character of defendants on the general charge, and of refusing as such to give any evidence as to portions of the inquiry which could not affect themselves.

The attention of Your Committee was, in the earlier portion of their inquiry, principally directed to that passage of the Petition which alleges a very general payment of two guineas made subsequent to the last Election to the Electors who had voted for the successful Candidates.

The fact of this payment and the circumstances connected with it were brought under the notice of Your Committee by Witnesses of various classes, by two gentlemen of the party opposed to that of the Sitting Members, by persons who, without being personally concerned in the transaction, professed knowledge of the facts, and by others who professed to have themselves received the payment.

The first of these classes was confined to the two Witnesses first examined, merchants of Yarmouth, Mr. John Shelley, since deceased, and Mr. William Barth. Mr. Shelley's experience of election matters, acquired since 1807 (*vide* Quest. 32), enabled him to speak to the fact, since generally admitted and proved to the satisfaction of Your Committee, that up to the period of the passing of the Reform Bill, it has (*v.* Quest. 35) been an invariable practice, or nearly so, to pay two guineas to each voter who applied for it, and on each side of the question, whether the candidate won or lost. This Witness considered, that up to that period the invariability and impartiality of the payment had divested it of the character of bribery (*v.* Quest. 199.) He proceeded to state, that on the occasion of the first election after the Reform Bill in 1832, the practice was for the first time abandoned by the party with which he was connected, commonly described as the Blue Party, in contradistinction to the Red. He also stated his belief, that though no understanding existed or was avowed, to his knowledge, on the subject, between his party and that of their opponents, the payment equally then ceased on the part of the latter (*v.* Quest. 210.)

This general discontinuance at the election of 1832 is established to the satisfaction of Your Committee, though one or two Witnesses depose, that several electors were paid portions of their vote-money by the successful Candidates at that election; and that evidence is to a certain extent countenanced by the fact, that that election cost the successful Candidates between £.5,000 and £.6,000, while Messrs. Shelley and Barth, speaking from long experience and intimate knowledge, state, that at former elections, the usual cost of each election to their party was from £.8,000 to £.10,000, of which £.5,000 was expended on out-voters, leaving from £.3,000 to £.5,000 to cover the remaining expenses of the election, frequently protracted during three or four days, and including a considerable sum for vote-money (*v.* Quest. 186). Your Committee are also satisfied, by the evidence of the other Witnesses of both classes above mentioned, that in April and May last a sum of two guineas was paid to each Elector, whether £. 10 householder or freeman, who voted for the successful Candidate at the last election, and applied for the same; and that the principal payment took place at the house or by the agency of Green, a publican. From the evidence of Samuel Arnold Smith, employed by Green to draw up an account which Your Committee believes to have been a list of the parties who received this payment, it appears, that the gross amount so paid was, in round numbers, £. 1,200 (*v.* Quest. 1677); that of this money £.900 was paid to freemen, and the remainder to £.10 householders; making the number of freemen who received the money 450, and that of the £.10 householders 100, out of 196 who voted for the successful Candidates.

Your Committee see no reason to believe that any unusual precaution was taken with regard to this payment, which could stamp it with a more clandestine character than on former occasions, or that any general promise or understanding previous to the election existed that it would take place. Much of the evidence, on the contrary, negatives any such previous promise (*vide* Questions 798, 1151, 1303, 1772, 2497). Mr. Shelley, who in his evidence states that he met with difficulties on his canvass in consequence of the non-payment of the two guineas by his party at the former election, nowhere attributes any of that difficulty to any expectation on the part of the voters that the practice was to be revived by his opponents, and states,

states, that when he first heard that the vote-money was about to be paid, he said it was impossible, and would not believe it (*v.* Quest. 410). It further appears, that a petition was early in May got up by the £.10 householders of Gorlestone, praying that they might receive the money (*v.* Burgess, quest. 2900.)

Your Committee are also of opinion, that considerable drunkenness and excitement prevailed at and for some time previous to the election, but not more than might have been expected during a long-protracted canvass and a severely contested election; 6,000 half-crown and 2,000 5*s.* tickets were printed for the successful party; but it does not appear how many of those were issued, though undoubtedly considerable sums were expended by both parties in entertainments to the electors generally. Mr. Shelley states, that at the convivial meetings of the Blue party, previous to the election, no tickets were issued, and that the parties assisting at them paid their own expenses.

The total sum which the election cost the unsuccessful parties appears to have been about £.3,300; that which it cost their opponents £.5,620, which, after deducting £.1,200 vote-money, leaves the general expenses of the election at about £.4,000. Thus the expenditure, after making allowance for the expenses of chairing and other items to which successful Candidates are exclusively subject, would, in proportion to the number polled, very little if at all exceed the expenditure of the successful Candidates, and would fall considerably short, on comparison, with the expenses of the successful Candidates in December 1832.

The attention of Your Committee has also been directed to the allegation of the Petition, that bribery was practised at the late election, and Your Committee considers that allegation as established by the evidence adduced before them; but they do not consider that the evidence they have obtained has enabled them to extend the proof or presumption of that fact beyond the statement of the Petition, or to satisfy themselves that such practices were general or extensive on the part of those who supported the successful Candidates. Your Committee not considering it competent to them to depart from the principle invariably, as they conceive, observed in inquiries of a criminatory tendency in the examination of parties liable to imputation of guilty participation in the acts alleged, found themselves in more than one instance compelled to admit the objection of Witness to answer particular questions.

With reference to the payment of the vote-money, Your Committee consider it their duty to recommend to The House to take such measures as may be calculated to ensure for the future the cessation or adequate punishment of a practice which no circumstances of long continuance, or general misconception on the part of the voters can, in the opinion of Your Committee, rescue from its inherent character of illegality and corruption.

Your Committee cannot conclude their Report, without expressing their conviction, that the practice which appears to have obtained in several cases, of pledging directly or indirectly individuals who were candidates, and without reference to their success or otherwise, to certain accustomed payments, is one which cannot be too severely reprobated, when viewed in reference to the free and fair exercise of all the rights, whether of candidates or electors.

August 1835.

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Martis, 21° die Julii, 1835.

THE RIGHT HONOURABLE LORD FRANCIS EGERTON,

IN THE CHAIR.

Mr. *William Henry Ashurst,* called in; and Examined by the Committee.

Mr. *W. H. Ashurst.*

21 July 1835.

1. ARE you the Agent for the Great Yarmouth Election petitions?—I am.

2. Have you read the fourth Resolution adopted by this Committee, as to the delivering in of a certain list to the clerk of the Committee?—I have.

3. The Committee desire to know whether you have any suggestion to make as to the dates with which the blanks in that Resolution should be filled up?—I have to submit to the Committee on that subject, that I cannot supply the dates for the filling up of those blanks, because, from the nature of the case, as far as it has yet been communicated to me, I am unable to specify the names of individuals against whom I can prove acts of bribery. I am prepared to open the case as presented to the Committee by the petition, and to go into the general evidence of the existence of bribery; that it was practised, and that many of the voters, subsequently to the election, were paid two guineas each; but I am wholly unable to state to this Committee at this time, who I shall be able to fix by name with the receipt of those sums of money.

4. Is Mr. Ashurst aware, that the terms of the Resolution have reference to the place of abode of all persons who are intended to be charged on the trial of such petition, with any offence alleged in the petition?—I am so aware. The words seem to me to be plain, but they present to my mind the discharge of a duty which at this time I am not in a situation to discharge.

5. By what time shall you be able to do so?—It is quite impossible until the witnesses are examined before this Committee, that any individual should be able to state that from the nature of the case. The case is one that charges the existence of bribery generally. The first allegation in the petition referred to the Committee is of that character, and I should be prepared to open with that allegation, and to show its general existence. The examination of those parties who would go to establish the general existence of bribery, would, as I believe, disclose to this Committee the names of persons whose conduct might be so impugned, but who those persons are I cannot now state. I am as sure that they exist, as far as I can be sure of a thing that is not personally known to myself, but is represented to me. Who the particular persons are I cannot tell.

6. Although you cannot now, can you at a future time?—I must necessarily communicate with Yarmouth for information. Will the Committee allow me to submit how the thing would work: I should probably, on the first case, bring matter before the Committee, that would lead to the strong belief in the minds of the Committee, that John Smith say, or whatever the man's name may be, was bribed; then, for the purpose of complying with the requisition of the Committee,

Mr. *W. H. Ashurst.*

21 July 1835.

I could give to the clerk the name of that person, by inquiring the fact, "Who is John Smith?" "Where does he live?" and so on. Then I could give John Smith notice; but in all those instances, I should then be travelling over a space of time that would keep this Committee sitting an indefinite length of time.

7. Do you not know what these witnesses will have to prove before you bring them into the room?—I know what they will prove; I have statements sent to me that that man was seen at a certain place, at a certain time, which certain place and certain time we know to have been, or think we know to have been, the time or place at which this money was distributed; whether the man did receive the money or not, or whether he will state he did so receive it, or whether you will compel him so to say or not are questions I cannot go into now; I cannot know before hand the particular person.

7*. Then, although this petition was presented on the 26th of June last, you are not prepared now to say there is any one single individual against whom you are prepared to make a specific charge of any sort?—I am not prepared with the strictness which this notice will confine me to; I have no doubt, if I go over the instructions (not knowing before I came into this room these questions were to be put to me), that I shall find some names against whom I should feel a moral conviction that I should establish the fact, and those names I should put in, if I am bound down by this rule, but I may then give names and bring persons before you to defend themselves against imputations, which by possibility may not turn out to be true. I had meant so to have opened my case, as to avoid charging any person who did not really appear to myself so clearly to be charged that I could stand before you, and feel something like a justification for saying that he was a person likely to be established as a person having received this money. I should have brought before you general evidence, showing the state of things in the first instance, and then I would have gone to the particular instances.

8. From your instructions, have you reason to believe that, when that petition was signed, the petitioner was prepared to prove that considerable sums of money had been distributed for some cause or other among the electors of Great Yarmouth?—I have not the slightest doubt or hesitation in undertaking to establish that as far as my conviction goes of a thing, which I do not know myself personally, but from the instructions I have received.

9. Would the fixing of these dates, as established by the resolution of the Committee, if you were called on immediately to state the time in which those blanks should be filled up, lead you to hand to the Committee the names of the individuals who you think you should otherwise not have summoned?—I think it might have that effect; for this reason, that I should, as an agent, desire to have the right to call witnesses, and to establish those facts which I should be shut out from doing if I did not give the notices required by the Committee, although I should hereafter find I could establish and prove them. If the Committee would allow me respectfully to suggest, that I could comply with the resolution of the Committee in this way: that I should give to-morrow morning the names of the persons to your clerk, whom I now intend so to charge, and to serve them with notices forthwith. I can do that, if the Committee will allow me, from time to time, hand in the names, if the Committee would not say, "You are excluded, because you did not give in those particular names before."

10. Are you aware that there is a resolution, which says that if any evidence is given to implicate a party whose name is not contained in that list, that this Committee will then allow that party to have notice and to produce evidence to rebut that charge?—I cannot say I was not aware of it, because as it is now mentioned it calls to my mind the nature of some such resolution as read by the Chairman—[*The resolution was handed to the witness, who having read it, said*]—I think this resolution would place me in such a position as that I could commence with obedience to the first part of the resolution.

11. Is Mr. Ashurst aware that those resolutions are extracted entirely from a Bill to prevent bribery that passed the House of Commons last year, which Bill was introduced by Lord John Russell in 1833, again resumed in 1834, was submitted to a select committee, then very fully discussed, was then sent up to the House of Lords, and that those clauses on which that resolution was founded were not altered in the House of Lords?—I cannot be aware from whence such resolutions were taken; I am aware that they bear resemblance to the resolutions referred to; but if I may be allowed to do so I should submit that the cases are different, and that the resolution should not be so applied to this case.

12. Does

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12. Does Mr. Ashurst, having turned his attention to the last resolution, wish to revise or correct his former answer, as to giving suggestions to the Committee with respect to filling up the blanks in the fourth resolution?—I wish to add that that fifth resolution renders obedience to the preceding resolution easier than I had supposed it to be; but I hope I may be permitted to add to that answer that I think the requisition greatly limits the case of the petitioners, and may throw difficulty in their way.

13. Does the witness's objection to this resolution arise from the want of power, which he apprehends he may hereafter not have of summoning further witnesses who may appear necessary to the establishment of certain facts in the course of the proceedings of this Committee?—Yes, that is one of the objections; it is impossible for any man to see, when limitations are put on his course in getting up evidence, all the cases of difficulty that will arise; out of those limitations one or two strike his mind half a dozen appear afterwards.

14. As to that objection, on consideration did you not think it diminished by reference to the last resolution?—I have certainly so thought, and I should hope having put myself before the Committee upon this sort of understanding, if such a case as that I supposed should arise, that I might come before the Committee, and say, "Here is a case in which you will reject the rule and allow me to go into the facts." I am acting on the supposition it is not desired to shut out facts by these technical impositions on me.

15. Do the Committee understand that your chief objection to this resolution is that you do not at this present moment know the names of the persons who may be implicated?—When I say that I wished to be allowed to explain myself, I say I do not now know; but when I go back to my papers I have Johnsons, Jacksons and a whole list of names connected with the matter, who have reference to the subject of bribery, and I can then with propriety (assuming the truth of the evidence given me) say Brown, Smith or Robinson, are persons whom I mean to charge. I have the means of ascertaining there are persons who I can so charge, and I can give that list quickly.

16. If you were given to the 23d to give in that list, and to the 25th to serve the parties with notices, would not that be ample time?—It would enable me to begin; but I am sorry to be put under the restriction proposed, and I would ask the Committee whether they would allow me to go on with the general case.

17. Can you proceed with the general allegations contained in the petition without implicating certain parties?—By reading the first allegation of the petition I may leave that to have its own effect on the minds of the Committee—[*The Witness read the first allegation in the second petition.*]—What I had proposed to do in opening my case was to show simply at particular times in consequence of certain previous notices there had by some means or other travelled out into the minds of the parties this fact, that the voters were to meet at a particular place and time; to have shown at that place and at that time that men were seen to receive money; that all those persons who were so seen assembled were voters; and that they marched off with that money. I should neither take John Smith nor John Styles, but I should give strong evidence against the person who lived at that house; that would be the sort of matter I should go into before I went into the particular cases; you would then see I was establishing a wholesale charge; that I was affecting individuals; that it was matter they ought to hear, and yet it seems to me I should be strictly verbally complying with your resolutions, for I should not affect particular persons, but I should be going into the general practice only. I can go into evidence of that kind immediately; but then it is probable that that kind of evidence would be exhausted in one morning, and then the Committee would have to adjourn over the Saturday and Monday, in order to answer to the notices so to be given by me.

18. Acting according to the spirit of this resolution, how soon could you serve the notices?—Would the Committee indulge me by allowing me three minutes to speak to the petitioner, who is outside; he is a very intelligent man, and he will be able to instruct me as to that; I have no local knowledge.

Mr. Ashurst (the witness) withdrew under the permission of the Committee to speak to the Petitioner.

Mr. Ashurst was again called into the room.

19. Will you now answer the question?—I understand from the character of the population it would be necessary to go over until Tuesday; will the Committee allow

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allow me to submit this which will be a consequence of the resolution to the consideration of the Committee. I shall be obliged now, as I find, to give notice to some hundreds of persons; and the great expense to the petitioners is a matter of consideration before the Committee; suppose the case for a moment to be as I represent it, that there was a general assembly of all these poor men; that it was, as I have stated, a distribution of money, why I must give notice to the whole of those men, and the expense will be enormous.

20. Are you bound to give notice to any others than you can fix by name?—I shall be able to fix the whole by name, if one man comes before you; because he has the list—he has the card, and that account has been seen. This is all implying that I should have a right to examine the parties.

21. You do not wish it to be supposed that these parties are to be fixed with this stigma, which the report of this Committee would bring on them without having an opportunity of being heard, do you?—No; if any parties by evidence which was elicited seemed to be affected, then the Committee would say, "you shall have time to hear and meet this case." I imagined I should have proved such a general case as would probably have induced the Committee to come to some conclusion upon it; but if I must give all these notices, the expense will be enormous. Before I can open any man's mouth, who I may desire to examine, I shall be obliged to give him notice.

22. Have you any objection to the blanks being filled up with the dates of the 23d and 25th?—I beg to say I submit to their being so filled up. After I have called two witnesses to open the general case, I could hardly call before you any person who is not so mixed up as that the question would not immediately arise.

[*The Witness is ordered to withdraw.*]

Mr. *Joseph Parkes*, called in; and Examined.

Mr. *Joseph Parkes.*

23. ARE you agent to the York Petitions before the Committee?—I am.

24. The Committee, with reference to the fourth resolution which the clerk will give you to read, have thought proper to fill up the dates for the time at which the list should be delivered, and the summonses for the 30th of July as you will observe; will you have the goodness to read over the resolution, and see whether you have any observations to make upon it?—[*The Witness read the fourth and fifth resolutions.*]—I feel some considerable difficulty about a part of the evidence on the case, if the Committee would refer to the petitions in regard to the construction of this resolution. In reference to general evidence affecting bygone elections, it would be impossible I could comply with the request of the Committee as to notices. In the construction of the resolution it appears to me I should be foreclosed from giving general evidence even of agents who might have divided, or have been alleged to have divided money generally.

25. Does it appear to you that the resolution affects the evidence as to general bribery, or is not confined to individual cases?—I might be foreclosed against giving evidence that individuals had delivered certain sums at a previous election; the Committee I apprehend would not exclude the proof of that. The construction of these resolutions is most material as it will save expense as well as trouble. At a previous election large sums were distributed; I am prepared to produce the persons who have done so; some of these are willing witnesses; I do not pretend to bring up the list of all the persons receiving money at this distance of time, the documents probably being destroyed; I can produce the parties and give certain evidence affecting a general class of electors, and I apprehend the Committee do not mean to exclude that evidence. Unquestionably my interpretation of the resolution is that it does so, and I beg leave to say that I hope the Committee would not suppose that I should indirectly act upon that resolution.

26. Does it apply to more than the individual cases, where there was a charge against an individual man, and that man is to be pointed out as having received a sum of money, that that man should receive notice?—I am quite willing to conform to the resolution if that is its meaning.

27. Supposing the words are from Lord John Russell's Bill, and the construction not to apply to general bribery, but only to individual and specific cases?—Why then I must see the manifest justice of that; and I was going to suggest that the Committee clerk be directed to serve copies of the petition on the returning officer with a request to make it public. I do not wish any proceeding of an *exparte* nature. In the Liverpool case the returning officer was served with a notice to make it public

public. Perhaps the Committee would allow me to ask, as a matter to save considerable expense in evidence, whether they contemplate making any resolution directing us to begin with the allegations, which are rather sweeping as to time, or not. I proposed to give some general evidence of the habit of former elections without carrying it too far in detail, and then to come to the modern cases. I take the liberty of mentioning it to the Committee, because it will make a difference in the number of witnesses. Mr. *Joseph Parkes* 21 July 1835.

28. How long would that general case take?—Not above a day, or a few hours. I do not advise the petitioner to enter into the particulars in the former elections, but to confine it to the habit of elections. If I understand the spirit of the resolution it is in all instances of corrupt acts by individuals, that I should give proper notice to the parties implicated.

Veneris, 24° die Julii, 1835.

THE RIGHT HONOURABLE LORD FRANCIS EGERTON, IN THE CHAIR.

Mr. *William Ashurst* was called in and asked by the Committee whether he was ready to proceed with the matter of the petition.

Mr. *Ashurst* stated that he should wish first to address the Committee upon the resolutions to which they had come.

Mr. *Ashurst* was directed to withdraw.

Mr. *Sherwood* was called in, in consequence of a letter having been forwarded to the Chairman, and stated that he appeared as agent of Mr. Lakin and other parties who had reason to believe that they would be charged with bribery and corruption; but that understanding that the Committee would not meet till Monday, he was not prepared with his defence, upon which a discussion arose.

Mr. *Sherwood* was directed to withdraw.

After some time he was again called in and informed that the Committee would allow him to be present as an agent, to have a copy of the evidence, and to cross-examine any witnesses whom he might wish to cross-examine on Monday.

Mr. *Ashurst* was called in, and desired by the Committee to proceed with the evidence on the general case; and also informed that the Committee could not hear any address to vary or suspend the operation of the resolutions; and that the Committee had come to the following resolution, That the Committee in order to facilitate the inquiry which in obedience to the orders of the House, they are about to prosecute into the allegations contained in the petitions from Great Yarmouth and York, will permit the counsel or agent for the petitioners to put through the Chairman questions to all witnesses whom the Committee in conducting such inquiry may think necessary to summon before them; but they will not allow the Counsel or Agent to argue any points of fact or of law, or to open or sum up or comment upon the evidence, unless allowed on special motion by a Member of the Committee.

Mr. *John Shelley*, called in; and Examined.

29. WHAT are you?—A merchant. Mr. *John Shelley*. 24 July 1835.

30. Where do you live?—At Yarmouth.

31. How long have you resided there?—I was born there, and have lived there ever since.

32. Have you taken part generally in the contests for Members of Parliament in that borough?—Certainly, ever since 1807.

33. Have you been cognizant of the several steps that have been taken with reference to the last election, and to the practices which have prevailed in that town as to preceding elections?—Quite so.

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34. In what interest may the Committee consider you, what are the colours there?—Blue and red; blue is what we call the liberal interest, and red the Tory.

35. Will you state what has been the general practice with reference to what has been termed vote money on both sides at the several elections in which you have been party and had cognizance?—Up to the period of the passing of the Reform Bill, it has been an invariable practice, I believe, or nearly so, to pay two guineas to each voter and on each side of the question; whether the candidate won or lost, the two guineas were paid.

36. Speaking for the present of a period more than two years ago, are you able to state to the Committee, that, to your own knowledge, that practice has prevailed on both sides?—Most certainly, because I have myself paid the money repeatedly.

37. Was there an understanding existing, and if there was, will you state in what way that understanding was created, that after the Reform Bill that practice should cease; do you know of any understanding existing on that subject?—Unquestionably, as soon as the Reform Bill passed; and when Colonel Anson and Mr. Underwood came down to canvass immediately succeeding the Reform Bill, it was very generally stated that those two guineas would not be paid. It arose thus: As soon as the candidates come to Yarmouth, the following day of their arrival it is usual to begin the canvass of the town, and at the close generally of the first day the candidates and their friends address the inhabitants. It is now so long since, that I cannot possibly say on what exact day it was, but on one of those days, in consequence of our finding considerable reluctance to promise, a reluctance which we never had experienced for four preceding elections, the men were asked what it was that induced them to withhold their promises; and they said, Why this reform is to cut us all up and ruin us, and take away all our privileges, as they called them; and in consequence of this, at some subsequent day, I should say within one week of the candidates coming down, I myself addressed the inhabitants, pointed out that payments such as had previously been made were quite inconsistent with the principles of the Reform Bill, and they never could be continued and never would, let the consequences be what they might, so that the understanding was certainly as widely propagated as the address to a very large number of persons, perhaps five or six thousand persons, in the town of Yarmouth, would carry it.

38. Was this statement made to you personally by many of the voters in the first election after the Reform Act?—As I said before, it is a considerable time since that election happened, and I would not venture to say that I myself then heard the objection.

39. That election was in 1832?—Yes.

40. Was any vote money paid by the blue party at that election, or after it?—I know of none; and I beg distinctly to state, that the late member for Yarmouth always did me the honour to consult me with respect to any thing that occurred during the election.

41. Was it paid to your belief?—I believe it was not paid; not only do I say that I believe it was not paid, but I beg it to be understood that the only reason why I will not give a most unqualified declaration that the money was not paid is, that it is just possible, I admit, that some individual might give his own servant or so two guineas, but I believe that the money was never paid out of the candidates' pockets, nor was ever paid with their cognizance and knowledge, and I believe that it was never paid at all, but it is quite impossible for me to answer the question positively; it was not certainly paid by the candidates, or paid to my knowledge.

42. As far as your belief goes, was it paid?—It was not.

43. Did those persons that had held back in the first instance vote after they had heard this declaration from you, that no money would be paid?—They did.

44. It was not paid by either party at the election?—It was not.

45. Was there a contest at that election?—Yes, one individual, Mr. Colvin, opposed the others; he had been a candidate at previous elections.

46. When the canvass for 1835 began, did you take part in that canvass?—I did.

47. Did you see many of the freemen on the part of the blue candidates?—I saw nearly all.

48. Did you canvass the voters in the liberal interest?—I did.

49. Will you state to the Committee what was the general answer, with reference to the subject of vote-money, that you received from the freemen upon your canvass?—On the first day of the canvass we certainly went on very dully, indeed; it

it had been the usual custom for us to receive promises so rapidly, as to render it a matter of great pleasure to go on the canvass; we observed to one another that on this day it was a matter of considerable irksomeness and difficulty; we could not get promises, we did not get refusals, but we did not get promises; the men said they would not promise.

50. Did they, on any occssion, give you reason why they would not promise?—If I remember rightly, they did not on the first day, but that I cannot speak to positively; it is very usual for us, about one or two o'clock, to go in and get a luncheon at some of our friends; and it was either during this luncheon or when we met the following morning to consider in what way we should carry on our canvass; that is, either the noon of the first day or the morning of the second, that several persons having made inquiry secretly of the freemen, found that the objection was——

51. Are you now speaking of that which you received from the freemen?—No, I am not. In consequence of some information which I received we went to two of the ship-yards where the shipwrights had on former occasions been nearly unanimous in our favour.

52. Was this on the first day?—Either the afternoon of the first day or the morning of the second day; we had not previously canvassed those men. When we went into the yard, we found the same unwillingness as we had found in other places to promise, and I accordingly said to one of them, "Is it the two guineas that you object to? Is it because we did not pay the two guineas at the last election?" and they said, "Yes, certainly; we consider it our birthright, Mr. Shelley, and we consider that you certainly have acted very unfairly towards us." I then reminded them of the declarations which had been made prior to the last election, in order to endeavour to convince them that there was no disposition on our part to deceive them about it. They said that that was very well, but in election times it was usual to make such statements; and that they hoped they should get the two guineas for all that. However we could get no promises there, at least none from those men, who thought much of the two guineas. We got promises from several persons, and a few, though they were very few, sided with us, and said that they thought it would be much better if the custom were done away with altogether.

53. Was this answer from many of the voters during your canvass. You have spoken of one yard to which you went, was there any other to which you went, and was that the answer generally from the voters?—The last answer which I gave was, that many of them said that they would rather waive the right and not take the money.

54. The inquiry was with reference to the vote-money: was a refusal conveyed by many of the voters, or by the voters in the yard?—No, it was a refusal by very many, and in all parts of the town subsequently to that; because conversations of this sort at election times fly like wild-fire; that it had been said at Mr. Fellowes' yard and Mr. Bradford's yard, we had declared that we should not pay the two guineas.

55. Did you find that the conversations which took place at those two yards were circulated among the freemen; and were you met, when you canvassed other freemen, by answers of a similar character?—Yes.

56. Did the men in that yard vote at the last election?—Some of them did and some of them did not; some voted against us and some voted for us; and in consequence of the knowledge having been spread throughout the town, it was thought quite necessary, and I myself suggested and urged it on Colonel Anson in his address to the meeting that evening, to state most positively that he did not intend to pay the two guineas; which he did state, and he gave his reasons for it; and I afterwards said a few words to the people to impress them with the importance of not acting on such motives as taking money for their votes.

57. Is it the practice in Yarmouth to have frequent meetings with the candidates, and to address the electors, so that the motives and intentions of the parties are generally anticipated and known?—Yes, always.

58. Did those meetings take place antecedent to the last election, and were they frequent?—Never less frequent than twice a week; and owing to a very extraordinary circumstance of the canvass having begun so early, that amounted to a great many. The original canvass began on the 18th of November, and the election was in January.

59. Did both parties commence on the same day?—No; our opponents commenced first.

 60. Will

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60. Will you now state to the Committee the course which the canvass took when it commenced by both parties, and give them as nearly as you can a statement of the several stages of that canvass; and what was the consequence of the announcement, that candidates were coming forward to contest Yarmouth with reference to public houses and public meetings and other things; will you keep to the order of time as well as you can?—I really cannot, at this distance of time, pretend to say whether it was the same day that this hand-bill was issued, or the following day; but on that day, or the following day, Mr. Praed made his appearance in Yarmouth; about the 18th of November; within a very short period, about two or three days, there were regular processions, beginning at Gorleston, which is a village added, under the Reform Bill, to Yarmouth, about two miles from the town; this procession came into the town, and then paraded through the town with flags and banners, and so on.

61. Did that hand-bill precede the procession; and how soon after the issuing that bill did the procession commence?—About one or two days; I should say that the procession would be about the 20th; but I cannot be positive.

62. Did you see Mr. Praed about that time in Yarmouth?—Yes.

63. Were the processions, immediately after the issuing of that Bill, commenced on the part of the Tories?—Yes, very soon after, within a day or two.

64. Did they continue from that period up to the time of the election?—No, they did not.

65. How long did they continue after the 18th of November, when this procession commenced. You have spoken of one from Gorleston, which exists in your mind as the first procession; were there others?—Yes, there were several; there was one at which a good deal of riot took place, and a fire; but I repeatedly addressed letters to each of the parties, requesting that torches might not be carried.

66. Were the processions at night?—Yes; those processions were no new things, I do not wish to impress the Committee with an idea that those were new things, when Mr. Praed came; they have been witnessed before.

[*The hand-bill referred to in the preceding Evidence, dated the 18th of November, was delivered in and read.*]

To the FREEMEN and ELECTORS of the BOROUGH of GREAT YARMOUTH.

Gentlemen,

I AM unable to address you publicly this evening. Do not suppose that I am less anxious than I have hitherto been, to explain to you my sentiments upon all which concerns the interests of your borough. The indisposition under which you perceived me to labour last night, prevents me from making myself heard this evening, by so numerous an assembly as I have usually met, however kind their attention might be. I shall shortly hope to present myself again before my fellow-countrymen. They have a right to expect plain dealing from me, I have a right to ask a fair hearing from them.

It gives me great pain to learn, that during the progress of our flags round your town yesterday some windows were broken. I am sure no friend of mine will be guilty of excesses which can only hurt my feelings and injure my cause. In compliance with the wish of several respectable inhabitants of the town, these processions will for the present be discontinued by our friends; I beg that I may be permitted to repair the damage which any person may have sustained from the hands, apparently, of our supporters.

Gentlemen, your continued kindness makes it hard for me to express my gratitude. My heart thanks you more warmly than my pen. Captain Beresford will shortly appear amongst you to make his own acknowledgments. You have made our cause your own, and we cannot doubt of its triumph.

I have the honour to be,
Gentlemen,
Your faithful and obedient Servant,

Yarmouth, 25th Nov. 1834. *Winthrop M. Praed.*

67. You say that there were several processions after that, they did not continue during the whole period to the time of the election, will you state what led to the cessation?—I cannot state it better than by reading the bill.

68. Does your reading that bill refresh your recollection of the facts?—Yes, certainly.

69. Refreshing your mind by the inspection of the bill, when did the procession cease?—Just after the 25th of November. Mr. Praed says, "it gives me great pain to learn that during the progress of the procession, some windows were broken. I am sure no friend of mine will be guilty of excesses which can only hurt

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hurt my feelings, and injure my cause. In compliance with the wish of several respectable inhabitants of the towns, these processions will, for the present, be discontinued by our friends."

[*The printed hand bill was delivered in and read as follows*:]

To the FREEMEN and and HOUSEHOLDERS of the Borough of GREAT YARMOUTH.

Gentlemen,

WE have been invited to come forward as Candidates for the representation of your ancient and loyal Borough, at the election which the posture of political affairs renders almost inevitable. We feel that, at this crisis, we should neglect our duty as Englishmen, if we disregarded such an invitation. We accept it with gratitude and pride: and we shall proceed without an hour's delay, to solicit personally the honour of your suffrages.

We rest our claim to your support upon our firm attachment to the Constitution which has been impaired; to the Church which has been spoliated; to the Throne which has been shaken; and we hope to make our friends all those of your independent and enlightened constituency who are the friends of the Constitution, the Church and the Throne.

We are, Gentlemen,

Your obedient and humble servants,

Wm. H. Beresford.

London, November 18, 1834. *Winthrop M. Praed.*

70. Was it in the interval of time between the 18th and 25th, as near as your recollection serves, that the mayor had interposed with his cautions to the parties?—Yes.

71. How soon after the issuing of that bill, did the processions again commence?—That is more difficult for me to say.

72. About how soon?—I should say within about three or four days I should think; but those were our processions.

73. Had not the Liberals processions during the same period of time as the Tories; you have spoken of a period of a week during which there were election processions, both parties had those processions during this week, had they not?—That I cannot say. The inclination of my own mind is, that they had not. I am not certain, but that fact can be got from the lower classes of voters, who are more interested in those things than I am.

74. Had the processions commenced then or long afterwards?—I should say in a few days.

75. But those you say were the processions of the Liberals?—Yes.

76. Did both parties then, after the week's cessation, commence the usual processions, and carry them on to the end of the contest?—There was this difference between the two affairs; the Tories had their men at different public houses in the town; they were admitted to those public houses by tickets; we had nothing of the kind; we had meetings it is true, in the largest rooms that we could get in the town, and every individual that came there paid his sixpence and his shilling for his glass of brandy and water, or any thing that he chose to take, but he paid it himself, and there was an organization in consequence on the part of our opponents, which we had not, in consequence of their meeting at those public houses; in fact the notice was issued.

77. What were the days of election?—The 6th and 7th of January.

78. During the continuance of those processions, were a number of public houses opened in the town, and was there considerable drunkenness prevailing through the town at this period?—I do not know whether in Yarmouth; our freemen used the word open in a different way from which they use it in other places; if you were to speak of a house being opened in Yarmouth, it would be immediately supposed that every man who was a freeman, would have a right to go there and drink, but those houses were not in that situation, they were admitted solely by tickets, and it was therefore only one party that went; the party that received the tickets when a house is open, no body ever asks whether they are Blues or Reds, or who they are, but they come in and drink as they please.

79. You did not receive any of those tickets?—No.

80. Have you any knowledge of the fact of the admission to those houses by tickets?—No other than general report.

81. You have not as yet answered that part of the question relative to drunkenness, will you state what you know upon the subject?—I can only say that for weeks before the election, parties of men coming as I have no doubt from those public houses.

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82. You saw them about the street?—Yes, and shouting and hallooing the words of the parties.

83. What were those words?—Praed and Beresford, it was originally.

84. Did you hear people shout Praed and Beresford about the streets?—Yes, and drunk.

85. Did you see those persons?—Yes; I had good reason to see them for they broke a great many of my windows.

86. So as to recognize them?—No, not to recognize them.

87. You did not take any before the magistrates for malicious injury?—I did not.

88. You did not know any of them?—I should not have done it if I had known them; but I did not know them.

89. Was there much confusion in the town?—There was; I never remember more.

90. From your knowledge and observation in the town, were those men congregated around the houses to which you have referred, and were they of the character of election mobs, and shouting those cries that are usually indicative of the part which they take?—No, I cannot say that they were; because as I mentioned before, they were admitted by tickets, and therefore there was a certain number at each house, and they were not disposed to stand about the door.

91. Did you not say that you have seen persons assemble round the door of those houses, and from their shouts you apprehended what the character of those assemblies was?—No, it was when they left the houses that they were drunk, they went in quietly.

92. From the observations which you made of the men coming out of those houses, and the character of the cries which they put forth, were you able to know that those cries and shouts were induced by the election that was about to take place?—I have no hesitation in saying so.

93. Did you see them come out of the public-houses?—Yes, repeatedly.

94. Did you see them in the houses?—No, never.

95. At what time of the day were the drinking clubs?—In the evening.

96. Was your observation of circumstances of that character so general as to justify you in stating as a man of character that it was extreme upon that occasion?—No, certainly, not of extreme; they did not go to the extreme of drunkenness at any certain time; but it was the extreme length of time through which it was continued.

97. Have you any other facts or circumstances connected with the manner in which the voters conducted themselves arising out of those openings of houses which you wish to state to the Committee?—No.

98. You have stated that those parties were personally unknown to you, had you no means of knowing whether they were electors or not?—When I stated that they were personally unknown to me, I mean to state that I could not now state that at such a particular night and at such a particular place I saw Thomas Jones at so and so; but there is scarcely an elector in Yarmouth with whose face I am not cognizant, and therefore I know them quite well.

99. Was this drunkenness confined to the electors?—Certainly to the electors.

100. You stated that you could not recognize any one individual?—The question was with reference to my windows.

101. Did you recognize any among the crowd?—Vast numbers; it was impossible not to do otherwise in a town of 20,000 inhabitants.

102. Did you go out of your house at the time the windows were broken?—No, I threw up the sash; it was late at night.

103. Did you not recognize any body?—It was dark.

104. Were there many other windows broken?—There were many.

105. What was the hour at which those processions took place?—They continued to twelve o'clock at night.

106. At what hour did they begin?—The procession generally began about seven.

107. Had you any better opportunity of recognizing them when they were about the streets than when your windows were broken?—Yes, unquestionably, because I looked in one case from the upper window down upon them, and in the other I was among them.

108. Did you know of what party those public-houses were?—With very few exceptions our public-houses all belong to the Red party.

109. People were admitted to those houses by tickets?—Yes.

110. But you do not know that of your own knowledge?—No, only from general report.

111. Were tickets given to voters?—Those tickets were said to be given to voters, signed with two initials and a seal.

112. From those houses you saw those people issuing?—Yes.

113. Drunk and disorderly?—Yes, and shouting those names.

114. Have you ever seen any of those tickets?—No.

115. Then in describing them you speak from report?—Yes.

116. You have given a definition of an open house; were those houses common in former years?—They were.

117. Do you mean to state that there was no such house at the last election?—There was no such house on our side of the question till the day of the election or the evening before; then all the houses were in fact open houses, but I believe with respect to our houses orders were given that in no case a party should receive above a certain sum.

118. Do you know that of your own knowledge?—I do; I happened to be in the room; the order was not given by myself.

119. The houses were open in the widest sense of the term on the day of the election?—Not in the widest sense, because there was a limit as to the sum; the expenditure was not to be more than 5*s.* each; I do not mean to say that it was confined to that, for I am very sorry to say that I afterwards paid a large number of those bills, and delayed paying them for many months in order to cut them down

120. You did not pay them within 14 days after the meeting of Parliament?—No.

121. Then if you ultimately discharged those bills the houses were open?—Yes.

122. Was there any petition in the last election for Yarmouth?—There was not.

123. When you state that those houses were open for 5*s.*, was that in 1835?—Yes.

124. Are you a freeman of Yarmouth?—Yes, I am.

125. You have never received those two guineas upon any election?—No.

126. And a good many others have not?—Yes, a good many.

127. Why did you say that it was paid to each voter on each side?—I did not mean to say to all the voters; I mean to say to all the voters who asked for it. I am very happy that the Committee gave me an opportunity of correcting myself upon that point.

128. How many voters do you know did ask for it?—I can tell very nearly from the poll-book which I have; it is a collection of poll-books from 1827 to the present time.

129. How does that help you to refresh your memory?—In this manner: in most of the poll-books there is an analysis, and by the analysis I am able to tell how many freemen would take the vote-money.

130. Does it state how many did take it?—No.

131. How many claimed and how many took it to the best of your belief in 1835?—I can only tell that by inference.

132. Will you now go back to 1831, how many took it?—In the election of 1831 there were about 1,000*l.* paid on our side.

133. Who were the candidates?—Colonel Anson and Mr. Underwood.

134. Were they elected?—Yes.

135. Was there any opposition?—Yes.

136. Who opposed them?—Colville and Bliss.

137. Then about 500 persons received two guineas on your side?—Yes.

138. Did the money or account pass through you hands?—No; I was chairman of the committee, and have been chairman of the committee for a considerable time, and therefore though the money has not passed through my hands, I had cognizance of the general account.

139. You were asked whether the accounts came under your own observation?—Partially they have done so, but not thoroughly. When an account was disputed or they had any difficulty they referred it to me.

140. You have stated that many of the electors did not receive the two guineas, how can you ascertain that fact?—We know it as we know general facts, because if here and there an individual beyond a certain rank in life takes his two guineas, it is known throughout the whole town the next day, and he is considered as having disgraced himself.

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141. May it not be done secretly?—No; it is not on our side done secretly.

142. How many elections have you been chairman at, and have you paid it on the part of the liberals?—I can speak to two elections at which I have paid the whole of the vote-money myself.

143. And there are several others at which you have been acting party and privy?—All the others since 1818.

144. In 1818 were you acting?—I was.

145. Did you at that election act in the payment of the voters on the part of the liberals, who were willing to receive the two guineas, or were you party and privy?—I was taxing my memory rather too much, because unless there is difficulty, or any thing of that sort, they would not call me in; if there were, then I should have been called in, and gone to sit at the table.

146. Who were the candidates in 1818; were they Edmund Knowles Lakin, General William Loftus, the Hon. T. W. Anson, now Lord Lichfield, and C. Rumbold, esq.?—Yes.

147. Who were elected?—Anson and Rumbold.

148. At the election of 1820 were you acting?—I was.

149. Will you state who were then the candidates, and the numbers returned?—The Hon. Colonel George Anson, 754; C. Rumbold, esq., 752; Lieutenant General J. Mitchell, 612; and J. H. Stracey, esq. 612. Before I conclude this, I should explain how this election runs; Sir Edmund Lakin is a candidate here, and he disavowed, after the election, having had any thing whatever to do with it. In the next election in 1826, the Hon. Colonel George Anson, 645; C. Rumbold, esq. 649; Sir E. Lakin, bart., 250. In the election of 1830, the Hon. Colonel Anson, 944; C. Rumbold, esq. 944: H. Preston, esq. 751; T. Campbell, esq., 754.

150. In 1831, who were the candidates?—In 1831, the Hon. Colonel Anson, 904; C. Rumbold, esq., 903; A. Colville, esq. 549; H. Bliss, 543.

151. In 1832 will you give the candidates and the numbers?—C. Rumbold, esq. 838; the Hon. Colonel G. Anson, 829; and A. Colville, esq. 751; there were only three candidates then.

152. In 1835?—In 1835 Thomas Baring, esq., 772; Winthrop Mackworth Praed, esq., 768; the Hon. George Anson, 680; C. Rumbold, esq. 675.

153. When you stated just now, that about 1,000*l.* had been paid at a certain election, was that paid to persons who were freemen, or independently to freemen and voters?—No payment has been made since the Reform Bill, and we had freemen only till the Reform Bill.

154. What proportion of 10*l.* householders have you now?—I think we have about 1,000 freemen, and about 600 householders.

155. Many of those would be freemen also?—No; in making the distinction which I have now made, the freemen who may be householders are reckoned freemen, not householders.

156. Among those 1,000 freemen, how many are there who are 10*l.* householders?—I should think about 200, or thereabouts.

157. Then you have 600 who vote in right of being householders?—Yes, and a thousand who vote as freemen. There is another fact which I would mention, that during the inquiry on the Municipal Corporation Bill, we made some calculation, and we found that 385 of the freemen do not pay taxes at all.

158. You have taken part in all those elections?—Yes.

159. At two of those elections you have paid the whole of the money?—With others; I have sat with others.

160. And at other of those elections did you take part so as to be enabled on those occasions to know who did take it?—Yes, I did.

161. Has the fact of your having so taken part at those elections brought to your knowledge the character and names of the persons who on those several occasions have taken the vote-money?—The Committee will see at once that they are different persons; the persons to whom I have paid the vote-money have been the persons who have voted blue. I can only make my estimate with respect to those who voted on the adverse side, by taking their station in life, and seeing how they corresponded with persons on our side who received the money.

162. Have you the means of stating how many took the vote-money at the election for 1818?—No.

163. For 1820?—No, nor can I state the precise number at any election.

164. About how many?—I can give only a general statement, because I was not prepared to expect that the Committee would have gone back for so many years.

165. And

165. And as the electors are a fluctuating body from year to year, you were perhaps of opinion that the proceedings of the electors of 1818 did not affect the electors in 1835?—Our great reason for supposing that bribery existed was to see men who year after year when bribery existed had voted readily with us: turn round upon us when it ceased; we knew those men, and knew that nothing but some extraordinary circumstance would turn us round.

166. In 1820 do you know of your own knowledge what proportion of freemen were bribed?—If I were to say two-thirds of those who voted for us, I think I should come nearly right for all the years.

167. For 1820, how many freemen on the side of the liberals were, as you believe, paid the vote-money; give the proportion as nearly as you can?—I should say about 500 on our side in 1820.

168. What grounds have you for forming that opinion?—The amount which we generally paid.

169. What was the amount paid in 1820?—It is impossible for me to state the precise amount; I have not the means, but I know that that is about the mark.

170. What are your means of knowledge?—Because the accounts have always passed through my hands, and therefore I have a general knowledge of the amount.

171. Have you a distinct recollection in your own mind that you have not been particularly struck by any variation in the sum you have paid?—Not a great variation in the sum we have paid in proportion to the number of voters, because that number have been nearly double at one time what it was at another.

172. Do you mean to state that you have never paid more than two guineas a-head?—Yes.

173. Have you paid more than 1,000*l.* vote-money?—Yes, we have paid more than 1,000*l.*

174. And those accounts have received your sanction as chairman of the committee?—Yes.

175. In 1826, will you give the numbers?—I should say that there were about 400; 645 polled then, and 754 polled before.

176. But you have no recollection but of the proportions?—No; I beg that to be understood.

177. The right was exclusively in the freemen?—Yes.

178. Are you in possession, as chairman of the committees, of any written accounts in detail of those expenses?—No, I am not.

179. Are those accounts in existence?—I think it is very probable that they are not.

180. Should you say that they are or are not?—I should think that they are not; and I think so because in fact I asked one of our members the total amount of money that he had spent, for I thought it possible that the committee might know, but he could not tell me exactly; he knew within a thousand pounds.

181. Did he state that he had no accounts by him?—He stated that he could not turn to them.

182. What did he say was the sum?—Thirty thousand pounds.

183. Since when?—Since 1818, when he began to contest the borough.

184. How many times had he been candidate in the place?—He has been returned in every election, except the last.

185. How many would that be?—Six; that would be about 5,000*l.* each election.

186. Did you understand that that was the average expense?—Yes; we always reckoned that our elections cost about 10,000*l.* for each party, when it is a strongly contested election.

187. Had you a contest on each of those occasions?—Yes; except when Mr. Edward Lakin was elected, and then it could be hardly called a contest.

188. In 1830 what was the expense?—I should say there were six hundred paid that year, and the number polled was 944.

189. Have you any honorary freemen at Yarmouth?—Very few.

190. Can you state the number?—I should think not above half a dozen.

191. Then the franchise is by birth, servitude and apprenticeship?—Yes, I should think in 1831 there were about 600 paid; I would say 550, and the number polled was 904.

192. Will you take the next election after that?—Not one farthing was paid.

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193. There was one election at which you paid a thousand pounds to the freemen, that is in voting money?—Yes, that would be about five hundred voters.

194. What would be the ordinary legal expenses of an election at Yarmouth?—I hardly know how to answer that when I have mentioned the very large sums that I have; that was at the time prior to the Reform Bill, when vast numbers of persons were brought down from London at very large expense indeed, out-voters

195. How do you account for the other £.4,000 being expended?—In that way, and in treating, and in the payment of the expenses of travelling, and for loss of time.

196. In 1835 you stated that Colonel Anson on the first or second day of the canvass said that he would not pay the two guineas; did he alter his mind afterwards?—Certainly not; and I can state still more, that very many of our friends, zealous, anxious friends, came to me, knowing that I had, perhaps, more influence with Colonel Anson than any other man, and said, "Mr. Shelley, we shall lose the election inevitably unless those two guineas are paid; pray go to Colonel Anson, and tell him that, standing upon this point, we shall lose the election:" I accordingly did so: he said, "Mr. Shelley, I authorize you to pay every legal expense, and I do not care what it is; but I will not have any expense that is illegal gone into, if I lose the election."

197. You addressed the electors on the occasion of the Reform Bill, and said, that it would not do to pay the money; what were the topics of the speech, what were the reasons that you assigned?—The reasons that I assigned were, that it was quite evident that a new era was begun; that persons were to be chosen, not because they had the longest pockets, but because they were supposed to be persons who would do that which was right for the country at large, and that, under those circumstances, they would find that putting on the one side the receipt of the two guineas, they would be greatly benefited by the various reductions and various improvements which a reformed Parliament would generally be, so that, in fact, they would be benefited, and greatly benefited, though the two guineas were given up; that was the topic.

198. When those friends came to urge you to call upon Mr. Anson to advance this money, what was your recommendation to Mr. Anson?—I told him, as I had told the people, "You must do as you please, but I will never have any hand in it."

199. You are a repenting sinner; having been privy to money being paid up to the Reform Bill, you now come forward to prove the guilt that occurred?—I may assume that character; but the fact is, that, having from my childhood always known the money paid, having known that it was paid every where else, but, above all, (for this is the great thing), knowing that whether a man won or lost, the money was still paid, I did not see any great harm in it; and I contend for it even now, though I am glad the custom is given up.

200. And knowing that it was paid on both sides?—Yes, it was no bribe; I always wish to contend that.

201. You think that those previous sins ought all to be forgotten and forgiven; is not that your opinion, and that it is rather ungracious to bring up those charges?—Those that took place before the Reform Bill. I say, certainly, when the Commissioner was at Yarmouth, he asked me whether the elections at Yarmouth were carried on without bribery. My answer was, I knew of none, except the two guineas paid after the election by both parties; and that practice, I said, is discontinued.

202. Is not Mr. Baring a ship-owner there?—Yes.

203. A considerable ship-owner in London?—Yes, he is one of the first, I believe.

204. Have you gone over the poll-book, for the purpose of ascertaining the number of freemen who voted for the Liberals in 1832, and who voted at the last election on the opposite side?—I have.

205. Can you state to the Committee the number of freemen who so voted?—There were 89 who voted in the previous election in favour of Anson and Rumbold, and who voted against him at the last.

206. You have also gone over that list for the purpose of ascertaining the number who promised, in 1835, to vote for the Liberals, and who voted against them?—I have.

207. Can you state that number?—I will state, that out of the number that promised us, 33 did not vote at all on either side, and 59 voted against us, after having promised us. The Committee will observe, that the two accounts refer to two different

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different affairs; the first, the 89, is a comparison between the number of persons who voted in favour of Anson and Rumbold, in the previous election, and the last statement is a statement of our own canvass books; 59 promised, who voted against us; 33 promised, who did not vote at all.

208. The 89 would have turned the scale, would it not?—Certainly, and so would the 59.

209. Before the last election, had it been a rare thing to find the men making promises and not adhering to them?—Very rare indeed.

210. You generally found that any promise made was acted upon?—Yes.

211. What is that bill which you have?—This is a bill which was printed and partially circulated at the election.

[*The bill was delivered in, and read, as follows:*]

THE TWO GUINEAS.

IT had been a custom until after the last election, to pay to such of the freemen as would receive it the sum of two guineas; and until then Messrs. Anson and Rumbold had always paid that sum; why then did they desist; was it from choice or necessity? We answer they were compelled to desist; and this the following facts will prove.

Until the present Parliament, if no petition had been presented against their return within a given time, they might thereafter, as they always had done, pay this money with perfect safety.

But of this protection they were deprived by the vote or order of the House of Commons, "February, 6th 1833," which allows any one to question their return upon any specific allegation of bribery, by payment of money by them or on their account, or with their knowledge, since that is after their return, within 28 days after the date of such payment, if the House were then sitting, or within 14 days after its next meeting.

Therefore, if by themselves or their agents, or with their knowledge, the two guineas had been paid to any of their electors at any time after their election, no matter when, there might after each payment and within the time limited, have been as many petitions against them as there were payments; and, on proof of the alleged fact, not only would they have been expelled the House of Commons, but each person receiving the two guineas would have been liable to the penalty of 500*l.*, and for ever prevented voting again.

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212. You said that you said to one of the ship-wrights in the yard, "Is it because of the two guineas that you will not vote for us?" who was that individual?—His name was Barcham.

213. What is his christian name?—James. He is my own servant.

214. Where is his residence?—In Yarmouth.

215. In what part of the town?—He is my warehouseman; he was not then.

216. How did he vote?—He voted for us, and always has done.

217. He was not in your employ at that time?—No, not at all. The warehouseman who was replaced by this James Barcham, one of the most respectable men in Yarmouth, would not promise his vote for more than five weeks, because he thought it was a very hard thing to give up the two guineas.

218. Did he state so?—Yes.

219. What is his name?—He is dead.

220. This two guineas was not given in reference to blue or red, but to them in their capacity of freemen?—Yes.

221. Invariably?—No, not invariably; I think in that contest where Sir Edmund Lakin was put up without his consent, it was not paid by him.

222. But generally it was paid?—Yes; I think by both sides.

223. Do you know how many freemen voted for Colonel Anson at the last election?—Yes; 385 voted for Colonel Anson; 381 for Mr. Rumbold.

224. And how many for Baring, and how many for Praed?—Freemen for Baring 577, Praed 573; Yarmouth householders, 153 for Baring, 154 for Praed; for Anson 224, and for Rumbold 225.

225. How many freemen voted in the Red interest, and how many in the Blue?—Five hundred and seventy-seven voted in the Red, and 385 in the Blue, in the last election; and at the election prior to that, 451 voted for Anson and Rumbold, and 507 on the opposite side.

226. You mentioned before, that 200 of those persons who appeared on the register of freemen, also appeared on the register of 10*l.* householders; in addition to those 200, how many do you conceive there are who live in 10*l.* houses, and who would be entitled to vote if the rates were paid up?—It is not a large

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number; but I should suppose perhaps in the whole district, (Yarmouth is a Parliamentary borough), probably 60 or 70.

227. Are there many freemen, respectable persons, who do not live in the town itself, but within seven miles of the town?—Very few in the town; they are generally respectable persons who do so live, but there are very few of them.

228. And those persons would not be rated as 10*l.* householders?—There are very few indeed but what have houses: Sir Edmund Lakin, for instance, is rated for his bank; and so, I think, nearly all have some building.

229. But there are considerable numbers of persons; farmers, for instance, who have no house or building which they occupy in the town, but by being freemen and resident within seven miles have a right to vote in the town of Yarmouth?—Very few indeed; I should think not 20.

230. You stated that 33 persons who had promised, did not vote; had those persons promised to yourself?—No.

231. You had it from hearsay?—Yes.

232. Had those 59 whom you mentioned, promised you?—No.

233. You had that from hearsay?—It is a common thing; I was always on the canvassing party; of course I heard the promise; I knew that the person's name was put down, but I cannot say that I heard all the promises.

234. Had you a canvassing-book at the time?—Yes; our plan is, on canvass, to carry small books, and we deliver them in the evening to the clerk, and he enters them up, and they are destroyed.

235. Those persons whom you accuse of breaking their promises, appear upon the canvassing-book?—Yes.

236. Did you canvass the whole town?—Yes, I always do.

237. It is within your own knowledge?—Yes, in a certain sense; but Colonel Anson may be canvassing a man in one street, and in another Mr. Rumbold may be canvassing at the same time.

238. Then some of those probably, as you were canvassing, promised yourself, and some, you believed, did so from the reports of other canvasses?—Yes.

239. And in former years those reports were found correct?—Yes, in a remarkable degree; in more than one instance, we have found our poll to come within three of our canvass.

240. Are many of the persons who are 10*l.* householders in Yarmouth, or any number in the same situation in life as the mass of the freemen; are they journeymen shipwrights for instance?—No; I am rather too hasty in saying there were none of them; for Yarmouth is a bathing place, and a thrifty man that is a shipwright, will hire a house that is worth 10*l.* a year, and let lodgings, and so he has a vote; but generally speaking, our freemen live in houses of 5*l.* a year; and I always was a great advocate, and have written to Colonel Anson, to ask the Ministry to reduce, in towns, the qualification to 5*l.*

241. What wages do they get?—Four shillings and sixpence a day, and they are very respectable men; no more respectable men in the kingdom than our shipwrights.

242. With respect to those two guineas, are the Committee to understand that there were never any other sums paid at elections but those?—Not for their votes.

243. Do you make any reservation?—I make this reservation, that they were employed sometimes as chairmen and colourmen, and in things of that sort, and they were paid for that.

244. But you do not know, yourself having conducted committees for those candidates for great numbers of years, of any other payments made for votes more than the two guineas?—I do most distinctly state that I know no instance in which money was paid to any man for his vote except the two guineas.

245. In the course of your canvass, did any of the 10*l.* householders ask you any question respecting the two guineas?—To that I must beg leave to say I cannot positively answer; and the Committee will see why I cannot answer it from the circumstance that I now state: some 10*l.* householders are freemen too, and they are much in the same rank in life, and much the same class of persons; but I should say, generally speaking, that none of them did, but I will not speak positively.

246. Did you canvass such freemen as, by the provisions of the Reform Bill, became entitled to vote as freemen or as householders?—We have endeavoured in Yarmouth, as much as possible, to get rid of the word "freeman;" we address them as electors when we speak to them.

247. You

247. You make no difference?—No.

248. And therefore you cannot distinguish whether the 10*l.* householders did or did not ask you for the two guineas?—I am inclined to think that they did not, and certainly not to any extent; it might be that one or two did.

249. Were those one or two freemen as well as 10*l.* householders?—No, I should say positively householders.

250. Were those freemen who live in the 10*l.* houses a considerable number in the habit of receiving the two guineas as well as the other freemen, prior to the Reform Bill?—There were certainly a few; and I assure the Committee that there never was an election that took place afterwards but what those men were marked as taking the two guineas at the last election. If a man in a certain station of life stepped out of that station, it was marked, because it was considered as belonging to the lower class, and was considered a payment for loss of time.

251. And you believe, from your own impression, that the persons receiving it did not consider it a dishonest act, but the payment merely of a gratuity, which they might receive without forfeiting their character for it?—Most unequivocally I state that prior to the Reform Act.

252. Do you think that the result of the last election was the effect of not paying the two guineas?—If we had paid the two guineas, I beg to state most positively that we should have carried the election; I am as sure of it as that the sun will rise to-morrow.

253. Liberal candidates have generally prevailed in Yarmouth?—Yes, and many of those men were in the deepest distress at taking the money, but they considered it not merely their own right, but a birthright; the very warehouseman that I mentioned said, "I do not care for it on my own account: I have no children; but I look at those poor fellows that have, and I consider that I am cutting away the right."

254. Among the out-voters, who were in considerable numbers in Yarmouth, generally, was there a strong feeling with them in favour of the liberal candidates; did the majority arise from them more than from the others?—I think it did.

255. Does it come under your immediate knowledge that out-voters resident in London or elsewhere, could be brought down to vote for a less sum in the shape of expenses than those could be on the other side?—That I do not know; I do not think I could make that statement.

256. Do you know that that was the case with respect to elections at Norwich?—No, I do not.

257. You have stated a large amount of expenditure in former elections; what was the limit to your tickets, with treating and refreshment?—At former elections we had none.

258. Have you ever formed any calculation of the amount per head which the treating cost?—I think our election times, one election with another, have amounted to 1,200*l.* in payment to the publicans.

259. Do you mean to state that the treating cost you 2*l.* a head on the average, in addition to the vote money?—I should think it did; it is almost impossible that I can state it with great accuracy, because there were horses and carriages, and various things, mixed up with the innkeepers' bills, prior to the Reform Bill having passed; whilst we had out-voters, of course they had carriages and horses, and so on, at the different houses; and generally speaking, we reckoned, one year with another, the expenses of the inns and public-houses at about 1,200*l.*

260. From the day of the canvassing commencing, was there any limit to drink that the electors chose to call for, prior to the Reform Bill?—There was an affectation of it, and that was all. There was a man sat in each public-house to superintend and control; a plan which I have always objected to, because I thought it a mere sanction to robbery, for he was bought over by the publican, and the bills were swelled in consequence.

261. Would not the tickets describe the amount of liquor to be given to the party?—We very rarely issued tickets.

262. Do you always pay the amount of the publican's demand in full?—No, we have deducted.

263. On what principles?—We have a sort of trial of the case, and they brought witnesses to prove that their house was very full; and we endeavoured by the best means we could, sometimes by applying to the Excise, and getting at the number of gallons that were sent in.

264. Were freemen confined to particular houses?—Yes.

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265. No man could adjourn from house to house, and drink at each house?—Yes, they could do that.

266. Was it the custom of the freemen to cease working from the day of the canvass to the day of election?—No; but I know very often they give up work entirely, but that is when the election is very near, when it is supposed to take place in a few days.

267. What was the amount of Colonel Anson's expenses in 1832?—I cannot say; but I should think, if I may be allowed to state it in that way, that it was about 8,000*l.* That was a very expensive election.

268. Was that before the Reform Bill?—Yes.

269. What was the expense of the election after the Reform Bill?—In the election of December 1832, there was only Mr. Colville opposed us; I should think that was about between 5,000*l.* and 6,000*l.* at that election; it followed so rapidly on the other, that the friends of Colonel Anson subscribed 1,500*l.*

270. What was the expense of the public-houses at that election?—I really cannot tell, and I will point out why I cannot; in consequence of our having a subscription in aid of the election, there was a treasurer appointed for that subscription, and he conducted the whole of the business.

271. Who was that treasurer?—Mr. Samuel Barber.

272. You mean that it cost 5,000*l.* or 6,000*l.* for one candidate?—No.

273. For the two?—Yes.

274. You mean the 8,000*l.* for the former election, for the two?—Yes, for the two.

275. The one interest, and the two candidates?—Yes.

276. In the earlier elections out-freemen voted, but in this none?—That is the case.

277. Will you state what was the amount paid at the last election for publicans' bills?—No, I cannot.

278. How does it happen that you do not know?—Because I was not called in but in questions of difficulty; a selection was made of about 10 or 12 houses, which they could not settle with, and I was called in to settle.

279. Will you give information of the amount of those bills?—I do not know what they were.

280. Who was the treasurer?—I do not know; I was not, certainly.

281. Were you a member of that committee?—Yes.

282. Were you chairman?—We had no committee, Mr. Praed came down to Yarmouth, and found Beresford and Praed's committee rooms posted up, and he said, "I will have no committee," and in consequence those bills were taken down, and that very night he sent a letter to me, addressed to the chairman of Anson's and Rumbold's committee, which I returned, stating that we had no committee.

283. Who was the active party in taxing bills?—There were several; all the persons that happened to know any thing about it.

284. Will you give the names of those who were active in settling those bills?—I can tell several people; I should say Mr. Christopher Sayers, Mr. William Barth. I did not attend at the meetings, and therefore it is impossible for me to say who did attend them; I only judge of them from inference; I know that they must have attended, but I cannot say of my own knowledge that they attended, but those two gentlemen I should think know about it.

285. Who settled the Conservative bills?—I should expect Mr. Ferrier and Mr. John Mortlock Lacon.

286. Was the last election in 1835 the only election in your recollection, where Anson and Rumbold had no committee?—Yes, it was.

287. Whenever they had committees on all previous occasions, was the committee a joint committee, or had they separate committee rooms?—We had joint committee rooms.

288. Then the payments of the two guineas were made on a joint account?—Yes.

289. On the late occasion, you do not believe that any money was given except the two guineas?—Yes, I stated that I believed for the purpose of obtaining a vote, no money was given at all at the last election.

290. Had the persons in whose yards the freemen worked, any of them, altered their opinion from the time before, and voted against you, who voted for you before?—Not that I am aware; Mr. Frederick Preston is a very large proprietor, and has a great number under his employ, but he was not one of our friends;

we

we should not have summoned among the friends of Anson and Rumbold him as one; he has not been a party man, and therefore I doubt whether he voted at all.

291. How do you account for the latter election of 1832, costing each candidate 2,500*l.*?—I think I commenced by stating, that I could not state very accurately the amount, and if I remember rightly, there was considerable length of canvass before the election; I can answer the question only in that way, that where there is a length of time there is a going on of expense.

292. Then it is accounted for, as you believe, in the expense of public-houses?—Yes, and hand-bills, and a variety of expenses; our hand-bills have sometimes amounted to 200*l.*

293. Were there bands of music?—Yes.

294. Many?—Not in canvassing, but in parading the town.

295. How many?—One came before the election on both sides.

296. There was something drank at public houses?—Yes.

297. Was there any expenses incurred in ribands?—Very considerable; I should think 600*l.* or 700*l.* that is the highest amount we have ever paid.

298. But you have paid that?—Yes, when we had the voters down from London we paid 600 *l.* or 700 *l.*

299. At the last election did you pay that?—No.

300. Had you any ribands?—Yes, certainly.

301. To a large amount?—Not nearly so much as before.

302. From your knowledge of the freemen of Yarmouth, would it have been possible for any man to have obtained his return prior to the passing of the Reform Bill, without paying that money?—I must explain that: the two guineas has always acted rather as a bribe for the next coming election, than as a remuneration for the past; and the Committee will see immediately, that if a gentleman had come forward prior to the Reform Bill, and stood the contest, he being a new person, it was impossible to say whether he would pay the two guineas; but everybody took it as a matter of certainty that he would, and never asked the question. I never knew it asked in my life before the Reform Bill, but if he had lost the election or had gained it, and then came forward again on a subsequent election, and had not paid the two guineas, I think he would not have had a chance.

303. You say that before the Reform Bill the question was never raised, and that it was taken for granted that the money would be paid?—Yes.

304. Supposing the question had been asked, and the candidate had said that he would not have defrayed that expense, would he have been elected?—I think not.

305. Then the borough would have been the same before the Reform Bill as after; you cannot get in without paying the two guineas?—Yes; Colonel Anson got in, and he stated that he would not pay the two guineas.

306. Both parties stated in 1832, that they would not pay the money, did they not?—No, I did not state that Mr. Colville's friends stated that they would not pay the money; our friends stated so, but I never heard it stated by the other side.

307. Do you know whether they paid it?—To my knowledge they did not.

308. Your answer to one of the former questions was, that the two guineas was not within your knowledge paid publicly, or by the candidates?—Yes, I say that still; they might have done it secretly, but I do not think they did, because a thing of that sort is known immediately.

309. Was there not a sort of understanding come to that the two guineas was not to be paid?—An understanding between our candidates and their friends; between the two candidates? Certainly not.

310. But you know of no payments on either side in that election of 1832?—No, I feel satisfied that there were none.

311. Can you state whether the 10 *l.* householders changed sides?—There were a few.

312. How many?—There were 14.

313. Were there any 10 *l.* householders who promised and did not vote?—No, I think not.

314. Were there any who promised and then voted against you of the 10*l.* householders?—No; I think not; there was one promised us and afterwards divided his vote; he voted for Colonel Anson and one of the other candidates; but I believe that was rather a mistake.

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315. Can you state how many of the freemen are of one class of freemen, and how many another?—There must be 150 or 200 of shipwrights and caulkers who are pretty nearly the same in class, and perhaps there are about 50 or 60 ropemakers.

316. Are the freemen employed in those classes the men whom you suppose, or whom you know, to be the 10 *l.* householders?—Among those there are very few 10*l.* householders.

317. Are any fees levied on the taking up of their freedom by freemen?—Sixteen shillings I think, and the stamp is 1 *l.*

318. Do they invariably pay that themselves?—No, they do not at all.

319. Have you ever paid for the freemen the amount of the fees?—I have not paid that, but I have known it paid.

320. By your party?—Yes.

321. To your certain knowledge?—Yes.

322. At the period of an election?—No; our corporation is a self-elected corporation, and does very much as it will; and we sometimes have not a meeting of the corporation for a twelvemonth, and therefore we have been glad when a meeting has taken place, to pay all that they would grant the freedom to at that time, expecting that they would not grant the freedom for another twelvemonth.

323. Is it the practice of the parties to apply to the persons leading in the interest in which they intend to vote, to pay those charges?—Quite so.

324. Have you been often applied to yourself?—Yes.

325. What answer have you returned?—I have referred them to some person in our committee, who has the management of the affair, expecting that he would pay them.

326. Are you aware that in the Worcester election in 1818, when Colonel Davies was petitioned against, and the present Lord Spencer was his nominee, that point of paying the fees of freemen was held not to be bribery, and no bribery being established against Colonel Davies, he was seated?—I believe it was never considered as bribery, for it has very often been the case, that persons for whom we have taken up their freedom, have voted against us.

327. And that it was not considered illegal?—Yes.

328. Of the 33 who did not vote at all, were the majority of those persons not in the habit of taking an interest in the elections?—The greater part of them were small shopkeepers, and some of them asked it as a favour of Colonel Anson, that he would allow them not to vote; that if he saw any chance of winning his election, they would be glad to vote, but if their assistance was hopeless, he would have the goodness not to press them, because it would injure their trade.

329. Then you do not mean to say that those 39 did not vote because they had not the two guineas?—Certainly not.

Mr. *William Barth*, called in; and Examined.

Mr. *W. Barth.*

330. WHAT are you?—Merchant at Yarmouth.

331. Are you a member of the corporation?—I am.

332. What character in the corporation do you fill?—For the last 11 years I have been an alderman, and 10 years before that I had been a member of the corporation.

333. How long have you lived in Yarmouth?—All my life.

334. Have you taken a part in elections for Yarmouth?—I have for the last 30 years.

335. Will you state to the Committee what has been the practice prevailing with reference to the elections at Yarmouth as to vote money; the question refers to the general practice in the several elections in which you have been acting, so as to enable you to speak with a general knowledge to the Committee?—I think about three-fourths of the freemen (I am speaking of the time before the Reform Bill) received what was termed vote money, two guineas each.

336. Was that commonly paid on both sides?—I think with only two exceptions.

337. You mean exceptions at two elections?—Yes.

338. Will you state what two elections, and if there was any especial reason for making the exception that you are aware of?—I do not know that I have the date of the first election; it was previous to the year 1818 and the election of 1826.

339. At one election prior to 1818, and at the election in 1826?—Yes.

340. Was

340. Was there any reason for the exception upon those occasions that you know of?—I should add in the year 1832 there were three instead of two.

341. Did you join in the payment of voters on your own side on those occasions?—I paid all the out-voters resident in London and its neighbourhood at Chatham and Sheerness for I think six elections.

342. On which side were you acting?—On the Blue, as it is with us.

343. The Committee wish to confine your attention to the election in 1832, the first under the Reform Act?—That was not paid by the Members returned at that election.

344. Did you assist in the canvassing then?—I did.

345. Did you receive from the freemen whom you then canvassed, any reasons with regard to their promising or not promising, in which they referred to the payment of the vote money?—Not so much in 1832 as in 1835; there was very little said about it then.

346. Had you any reason to suppose that it was expected that it would be paid as usual?—I think it was, though it was said by several gentlemen at the meetings that took place at the time, that from the passing of the Reform Bill it would be discontinued; still they thought there was a chance of getting it.

347. Had it been stated frequently in your hearing, on the part of the Blues, that it would not be paid?—It had, by Mr. Shelley.

348. But still an impression prevailed on the minds of voters that it would?—I think there did.

349. Will you state any answers that were given on that subject with reference to the canvass in 1835?—We met with a disinclination generally on the part of the voters to promise their votes, in consequence of their dissatisfaction with not having been paid the two guineas at the previous election of 1832.

350. Was that distinctly stated to you in many instances?—In a great many instances.

351. Do you recollect a conversation at Bradford's Yard, and Fellowes,' upon that subject?—Yes.

352. And were those to the effect you have stated?—They were; I spoke to several of the voters myself.

353. Were they then informed by you, when you heard that reply, that their vote money could not be paid?—They were; we stated from the first that after the passing of the Reform Bill we could not pay it.

354. Have you made any calculation of the number who promised and did not poll, and the number who voted Blue formerly, and Red on the last occasion?—I think it was about 90; 92 I made it, but I cannot speak to one or two positively.

355. Did you go over the list for the purpose of making that calculation?—I did.

356. Did you make it as truly as you could, founded upon the knowledge that you had of those men?—I did.

357. Have you now the means of stating those numbers?—I think there were 59 that promised us that voted against us, and 33 I cannot speak to; one or two, as near as I could compute it, that promised us that did not vote at all.

358. Have you any reason to suppose that the election was lost by the defeated candidates in consequence of their declaring that they would not pay the two guineas?—I have no doubt of it.

359. Had it, in your experience, been rare for the voters to promise one way and vote the other?—Very rare.

360. Have you known any instances at previous elections in which such a defalcation from promise took place as took place in this election of 1835?—Certainly not, and in very few instances we found so few missing as half a dozen.

361. You said that you spoke to several of the voters in 1835, who expressed regret that the two guineas vote money was not paid on the former election?—I did.

362. Do you know how those voters subsequently voted?—I think about 90 of them did not vote for us that would have voted for us if the two guineas had been paid.

363. You supposed that they would have voted for you?—I have no doubt of it, from what passed at the time they were canvassed.

364. You have stated this is your impression from what passed at the time of the canvass; had you any further interviews with any of those parties previous to the day of election?—I think the canvass continued for the space of six weeks,

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and probably the Blue candidates and myself, with other gentlemen attending them, might see the voters, half a dozen times, to induce them to promise, as they had done before, and in a great many cases we did not succeed, because they said they would not promise unless they had two guineas for the previous election.

365. Did any of them ever call upon you?—I do not know whether they called upon us, but we were meeting them very often.

366. You settled Colonel Anson's expenses, at the last election, or were aware of the bills that were paid at the public-houses?—I took part in it; I sent checks for them, more than half; two thirds; other gentlemen paid some of them.

367. Have you any objection to state the amount, or do you decline?—I think, as near as I can recollect, I have no documents, it was about 860 *l.*, the whole amount, as near as I can recollect; that was the list that we delivered in for the whole amount.

368. In what year?—The last year.

369. Do you know what it was in 1832?—I am afraid to speak to that.

370. Have you any objection to state the total amount of expense incurred for Messrs. Anson and Rumbold at the last election?—As near as I can state, I think it was 3,300 *l.* for the two Blue candidates.

371. At what period did you usually meet the out-voters at Chatham and Sheerness, to pay this vote money subsequently to former elections?—It depended very much upon circumstances; my own convenience of going over, or, perhaps, of getting the election accounts together; there was generally something of that kind that interfered with the time that those payments took place.

372. Has either party ever petitioned against the return from Great Yarmouth, that you recollect?—The only petition that I recollect was against the present Dr. Lushington, who was returned with the late Lord Suffield; Dr. Lushington accepted the Chiltern Hundreds, and there was an end of it.

373. Since that period no petition has been presented from Great Yarmouth complaining of an undue return?—I think not.

374. The majority of those voters usually voted for Anson and Mr. Rumbold?—From 90 to 100 majority, I think.

375. There are certain allegations in this petition, which has been presented from Yarmouth, of great and extensive drunkenness from the time of the canvass till the day of the election; are you prepared to aver to the truth of that allegation?—I do not know what sort of evidence I could give, except from my own observation; I saw, very painfully, for more than six weeks, that the town was in a great state of excitement; very often as many as 20 to 30 houses were opened, and on the next morning a great many people were about the streets in a state of intoxication, and in a state which it was annoying and painful to see.

376. Of course, there would be Blue voters among the others?—We had no houses open till the election.

377. Did you put any limit upon the amount of treating or refreshment?—There were directions given for the chairmen and colourmen, and different classes of persons, to receive 5 *s.* of refreshment on the nomination day, and the two election days, and the day following the chairing; it was not in my department to go, but it was told by a gentleman in my hearing in one or two instances.

378. Did you issue tickets upon that occasion?—No, we did not.

379. Was this limitation with regard to the 5 *s.* given by word of mouth?—Yes, to the different innkeepers.

380. Have you been engaged in any city or town elections elsewhere?—For the county of Norfolk; I had gone over to Norwich before the Reform Bill as a freeholder, but I had taken no part in the election.

381. Were tickets issued by the Red party?—I saw a great many, and I believe it was a general rule.

382. Were they restricted to 5 *s.*?—I cannot say; the tickets varied, some were half a crown and others 5 *s.*

383. Did you see any tickets having a larger sum than 5 *s.*?—Yes, I think there were some at 7 *s.* 6 *d.*, but I am not quite sure.

384. Was the sum expressed upon the ticket?—Yes.

385. Do you know the distinction between the half-crown and 7 *s.* 6 *d.* tickets?—No.

386. It is not impossible that the 7 *s.* 6 *d.* ticket was for the out-lying voters?—I should think not; the chief of the voters reside within two miles of the borough.

387. Are there many persons of considerable respectability who are not 10 *l.* householders

householders among the freemen residing within seven miles distance?—I think not; perhaps about 20 to 30.

388. Were there flags exhibited to mark the public-houses open in the Red interest?—Yes.

389. How many houses were there of that description?—I cannot say to any exact number, but at one time I must have seen 20.

390. Do you consider the two guineas you paid as a reward for the former election, or a retaining fee for the succeeding one?—As a reward for the election that was past.

391. From those houses with the flags did you see any persons issuing in the evening, was the town orderly or disorderly?—I should say, most disorderly.

392. From drunkenness?—Yes, because in going home at night one could not go through any street without seeing people coming out of those houses with flags intoxicated, at that time the Blue party had no houses.

393. How long were those flags exhibited prior to the election?—I really could not speak as to the particular time.

394. A month?—I think it might be a month before the election.

395. Were there any houses in which the Blue party were in the habit of meeting?—There were, but not open houses.

396. How long did this state of disorderly appearance continue prior to the election?—I think it began six weeks prior to the election.

397. Disorder, from drunkenness and riot?—Yes.

398. Was there riot?—There were brawls, and so on.

399. Did the two parties meet occasionally?—They did.

400. And there was a little drunk on both sides?—Yes, but the Blue party if they had any they had it at their own expense.

401. Did any personal conflict take place between the parties?—Upon one occasion, which I perfectly well remember.

402. Were any parties injured in this conflict?—Not very much.

403. Do you know anything of the payment of this two guineas by any parties after the last election?—Only what I have heard from others; I only know that the Blue party did not pay it at the last election.

404. If the Blue party had paid it, should you not be aware of it?—I should, certainly.

Martis, 28° *die Julii*, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON,

IN THE CHAIR.

Mr. *Lacon* stated, that according to the notice he had received, he was one of the parties charged, but that he had also received a summons as a witness; and that in order to save time and trouble, he wished to give notice, that being a defendant, it was impossible, according to the laws of the country, that he could be made a witness.

Mr. *Ashurst* wished to call the attention of the Committee to the doubtful terms of the notice served upon Mr. Lacon, which was as follows: "I give you notice, that the evidence intended to be produced before the Select Committee of the House of Commons, to whom the petitions from the borough of Great Yarmouth presented in the month of June last, stand referred, may affect you with an imputation of bribery, or with being a party aiding or assisting in the commission of bribery, or of treating, or of some or one of the offences mentioned in the petitions."

[*The Committee-room was cleared.*]

After some time the parties were again called in, and informed that the Committee had determined that Mr. Lacon might be at liberty to remain in the room, on the same ground as the gentlemen who had been examined were allowed to remain.

Mr. *John Shelley*, called in; and further Examined.

Mr. *John Shelley*.

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405. WILL you state to the Committee the names of the gentlemen who were more prominently than others in company with the members, Baring and Praed, during their canvass in 1835, whom you saw?—John Mortlock Lacon, Esq., Mr. John Edward Lacon, Mr. John Edmund Lacon, Richard Ferrier, William Green. There are very many more, but I cannot recollect them all, there are so many. Robert Corey, George Bateman.

406. Costerton?—Yes; John and Samuel and Prentice, of Gorlestone. I do not recollect his christian name.

407. Was there Mr. Preston?—Edward Harbord Lushington Preston.

408. Do you recollect the appearance of the members after the election in Yarmouth, going forward to the time of the payment of the vote money, which you have spoken of; do you remember them being there?—Yes.

409. Do you remember any report, and if so, what respecting vote money?—I was told by a person that the vote money was about to be paid two or three days before it actually was.

410. Did you afterwards hear that it was paid?—The same person that told me that the vote money was about to be paid; for when I was told it was to be paid, I said it was quite impossible, that I was quite certain that it would not be paid; and on the day that it was being paid, the same person came and said that the information was correct, for the gentlemen are being paid at Mr. Green's; and I walked round to see whether it was the fact, and I saw 20 or 30 persons outside the door of Green's.

411. Are you so well acquainted with the voters of Yarmouth as to know who are the voters, by sight, though you may not know their names?—There are very few voters in the whole town that I do not know personally, though I do not know their names.

412. Were the persons that you saw at Green's, at the time you have just spoken to, voters?—I have no doubt that they were.

413. Have you at any time been reproached by voters for not having paid this vote money upon any occasion, or upon this?—Several times since the last election I have been asked when the money would be paid, and I have repeatedly said that it never would.

414. Has any feeling been manifested in consequence of that to you?—Yes, I have been very much abused as I have been walking along the streets, that the money has not been paid, and that I have been the means of preventing its being paid; in fact, I was charged very publicly with my management having lost the election, inasmuch as I did not consent to the two guineas being paid on the part of Anson and Rumbold.

415. Were you present on any occasion with Colonel Anson when an application was made to him on the subject of the two guineas?—I think that I mentioned that I was in my examination the other day; I was also present under very particular circumstances. It was, I think, the night previous to the election, a gentleman of the name of Simon Cobb, and another of the name of Matthew Butcher came to my house about 10 o'clock and told me that a large number of voters were collected at the White Hart on the Wrestlers Plain, and that they declared that they would not vote unless they had a full understanding that the two guineas would be paid; I told Mr. Cobb and Mr. Butcher, that as far as I was concerned, they might depend upon it that the two guineas would not be paid; they wished me to go to Colonel Anson, and I walked with them to Mr. Brightwell's, where he then was; he was dining at Mr. Brightwell's, and he was called from the dining table into Mr. Brightwell's front room and told the circumstances, and two or three of our friends came out with him, Sayers, I think, was one, but there were two or three friends, Mr. Benjamin Dawson, I think, was another, and we talked over the subject, or rather, I should say, Colonel Anson asked each individual what he thought about it, and after he had heard what every, at least the greater part of the persons then present had to say, he then said, "well gentleman, I have made up my mind, if the election is to be lost it must be lost, I shall not pay the money;" and Mr. Cobb was directed accordingly to go to the White Hart and say so to the men.

416. Have you, since the election, and since the presentation of the petition, met any of the freemen, or have any of the freemen met you, or has any thing happened?—

happened?—Yes, one of the freemen certainly struck me a very violent blow in the face in consequence of the exertion that I took about this petition, and he is put in gaol in consequence by the mayor.

417. Did any thing at that time pass which showed that that was the cause?—Yes; he said after he had struck me two or three times that he should strike me again the moment he was clear, and that I had robbed him of his birthright.

418. Was he drunk or sober?—He was sober; he had threatened me the day before.

419. In your examination in chief you state that you did not consider the payment of those two guineas illegal before the passing of the Reform Bill?—Not strictly illegal, I think I explained it then; the mode in which it was done was that the payment was always suspended till the 14 days, which the Grenville Act directed were expired, we generally went instead of 14 days to 6 weeks, or thereabout, and then the money was paid; but what I mean to say is this, that there was no illegality at the time of its payment, inasmuch as the doors were open, all the gentlemen sat round the room, and the whole town knew by advertizement that the money was to be paid, and I am quite aware that it was illegal to have paid money before the 14 days, but after that there was no law that could be brought to bear upon us.

420. You have stated that you did not consider the payment of the two guineas as bribery before the passing of the Reform Act?—On that ground that it was paid by those parties, and so paid.

421. On what ground do you think that that which was before no bribery is now bribery; what makes it bribery in the Reform Act?—Not specifically the Reform Act, but we apprehended in the first instance the opening out of the constituency to the 10*l.* householders evidenced a complete change of system with respect to elections; but that was not all; a notice was given early in the session, which I believe is called my Lord John Russell's notice, that if at any time money was paid with the cognizance of the Member, or under his direction or with his knowledge, then a petition might lie against such Member, and we considered those two guineas as coming within that particular direction.

422. That resolution applied to such payments as had an effect upon the election by influencing the voters; you have stated in your evidence that those two guineas did not influence the voters at the election; how would that apply to the two guineas paid after the election?—The way in which the two guineas influenced the Yarmouth election was generally this, that the men were told prior to the election that they would not be paid it, and therefore they went to the election with a consciousness that they would not.

423. You have stated that the admission of the householders to the franchise altered the entire principle of the constituency of Yarmouth; did not it increase the number of voters?—Not at all; it rather lessened them; we had the out-voters before.

424. Were there fewer residents before?—Yes.

425. Was not the practice discontinued of paying out-voters unless they came down to Yarmouth and voted?—Yes, that was the case always.

426. Would not the admission of the householders to the constituency have increased the amount of money to be paid, supposing the two guineas had been paid to those as well as to the freemen?—Unquestionably, if the householders had asked for it; but I have already stated that those persons who were in the situation of 10*l.* householders were marked as persons acting improperly when they took the two guineas, and therefore nobody ever expected that the householders would take the two guineas.

427. You have stated that the two guineas were paid by the Red party at the last election; do you mean to state that if they were so paid none were paid to persons but to freemen?—No, I mean to state that they were paid to householders; we know it.

428. Did any written correspondence take place between you and the late Members for Yarmouth?—Yes, I have no doubt there was.

429. Have you this correspondence?—I do not know; it is at Yarmouth; I have it not here.

430. Could it be produced?—Yes.

431. Would you have any objection to produce it?—I submit that to the Committee; I was not agent; certainly I have never been an agent, for I never

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never have been paid a single farthing for any services I have rendered, but I was a confidential friend of the Members; the whole of the correspondence with our late Members always passed through my hand, I therefore can hardly say whether it would be quite correct in me to offer to give up their letters; but this I am quite ready to say, for I saw them both on the subject on Saturday, that if this Committee wishes for their evidence they are both quite ready at any time to come and give it. My only feeling is, with respect to Colonel Anson and Mr. Rumbold, that it is an engagement on their part which of course involves their feelings, and I do not like to come to such an engagement; as far as I am concerned, I wish the Committee to understand that I have no objection whatever, none in the world.

432. You stated that money was paid to the householders; are you aware how many of those householders that received money at the last election had become voters under the Reform Bill, and how many were householders properly so called?—I believe that all the persons that we call freemen are freemen, those that we call householders are householders and not freemen; that is the distinction we make in our poll-book; though he may be a 10*l.* householder, he is called a freeman if he be a freeman, and he votes as a freeman.

433. When you state that householders received their two guineas at the last election, can you inform the Committee of what proportion?—I can only say what I have heard; it is mere report as far as I am concerned, but I should say a hundred.

434. Householders alone you mean?—Yes.

435. With regard to the processions, have not processions been usual at Yarmouth in all prior elections?—Yes, they have.

436. Do you recollect at the last election of all, whether the Liberal side had not a greater number of processions than the Red side?—I should think not, because the election was distributed through so long a space of time that it is a difficult thing for me to answer such a question with any thing like accuracy. I never reckoned them up on either side.

437. Do you recollect in the early part of the canvass processions by night taking place with torches?—Yes.

438. Do you recollect on that occasion the mayor writing to the candidates or the agents requesting that those processions might cease?—Yes.

439. Do you recollect what the consequence of that was?—No, I do not.

440. Do you recollect any more processions at night on the part of the Red party taking place after that admonition from the mayor?—I think they had processions with red lights after that.

441. Did you see any of those processions?—Yes.

442. Did you see any on the part of the Blue candidates?—Yes.

443. Which were the more numerous?—I should think the Blue were the more numerous.

444. After this intimation from the mayor, will you state whether there were any more processions on the part of the Red party?—I should say that there were several, and I feel convinced that there were simply because of this alteration, the alteration to red lights instead of torches.

445. Might not that have been after the commencement of the election?—No, certainly not.

446. But you cannot state positively that there were any night processions after the intimation of the mayor that he objected to it?—The strong impression upon my mind is that there were several.

447. Were you treasurer for the Blue candidates at the election?—No, I never have been.

448. Who was the treasurer?—I believe Mr. Barth.

449. Are you aware what the expense of the canvass was in the last election?—No, I am not; I am very sorry that I went so far into figures as I did, because it is not my business, though I happened to know them all.

450. At what time in the evening did the processions of the liberal party usually commence?—I believe about seven or eight o'clock.

451. Not later than that?—No, not when they commenced.

452. Did you on any of those occasions join the procession yourself?—I did for a short time sometimes, but I am not fond of them.

453. Do you recollect on any occasion Colonel Anson being in those processions?—Yes.

454. Was that frequent?—He has generally gone round the town with them, I have never been round the town in my life, I have been part of the way with them.

455. You stated that to the voters on the liberal side orders were given to supply them with liquor to the extent of a shilling?—I did not say that.

456. Are you aware that any individual received more liquor than the value of the sixpence or the shilling that he paid?—I should think it very improbable.

457. You are not prepared to state that in those rooms to which you refer a great deal of liquor was not given to the man paying a shilling or sixpence more than he could have got elsewhere for the same money?—No, I should think not because the various parties took a hired room and supplied the liquor, and therefore I do not know how they would get paid for it under those circumstances.

458. You have told the Committee that the cries of the election were principally "Praed and Baring," were they not for the other candidates?—Yes, I was speaking of a particular time and a particular place when I said that.

459. Is it an uncommon thing to see drunkenness in elections at Yarmouth?—Not at all.

460. Have you attended other elections?—Yes, at Norwich.

461. Have you seen drunkenness there?—Yes.

462. Have you seen drunkenness at other times than elections?—Not to such an extent; but I fear the drunkenness is owing to the demoralization that elections bring on. I think it is one of the greatest curses that the country knows.

463. Taking the last election in Yarmouth in reference to preceding elections, do you suppose that there was more or less drunkenness?—I think that I must say that there was more, simply because it was spread over a larger extent of time.

464. Merely in consequence of the greater extent of time between the commencement of the canvass and the time of the election?—Not merely; there was an amazing amount of drunkenness certainly during the two or three days preceding the election, and the election days; I think I never remember more.

465. The election was about the time of Christmas?—Yes, it was.

466. There is a considerable quantity of drunken men about the streets at Christmas time?—There are some.

467. Do not you find that more the case than at any other time of the year?—I believe there is a bad practice in Yarmouth of giving sums of money on particular days, which sums are all spent in drinking.

468. Amongst those drunken persons, do you mean to say that all whom you saw at the election were voters, or were not a large proportion other persons, did you see none of the members of the political union who were not voters in a state of intoxication?—I do not know; I know a very few of them.

469. Did you not see a great many persons whom you knew not to be freemen in a state of intoxication upon that occasion?—That is one of the evils complained of in this petition, that it extends not merely to the freemen, but to their wives and their children and their daughters, and in fact throughout the town.

470. But the fact is so that a great many persons besides freemen were in a state of intoxication?—Unquestionably that is a part of the complaint.

471. You have complained that the canvass at the last election went on more dully than you ever knew it, and you have attributed it to the non-payment of the two guineas in 1832?—I have.

472. Were there not other circumstances to cause that dullness?—I know of no other circumstance, and I have attributed it to that circumstance, because I was told that by the freemen themselves.

473. Are you not aware that great complaints were made of the small attendance of Colonel Anson to his parliamentary duties?—Yes, I know that the Tories published several charges; but I believe they produced no effect.

474. Have not you yourself stated that Colonel Anson's attendance on his parliamentary duties was not so great as it ought to be?—Yes, and I have written to Colonel Anson about it myself.

475. Then that might have had an effect upon the freemen at the last election?—I think not, because the freemen that had generally voted for us had

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voted, generally speaking, upon political principles, and I am quite certain that they would sooner have a Liberal who attended but little, than a Tory who attended much.

476. But on several occasions Colonel Anson's votes in the House had given offence to his constituents in Yarmouth, had they not?—Yes, but that was not the cause of the dullness, I think.

477. But the fact is nevertheless so, that he had given great offence to some of his constituents?—Yes.

478. Was it the habit of some of the members for Yarmouth to pay a subscription to the races?—Yes.

479. Did he pay his?—I have always been a decided advocate for his applying that very money to very different purposes, and I believe it was one of the friends of Mr. Baring, who was the greatest advocate for the races, and induced Colonel Anson to subscribe.

480. Do you know whether he did pay that subscription?—Yes, I think he did.

481. For the races in 1834?—I really cannot say; Mr. Barth will say.

482. Was it a money subscription?—Fifty pounds.

483. Was it for what is called the Member's plate?—I never attend races, and therefore I cannot say.

484. Among other votes of Colonel Anson's, which gave offence, was not there one vote of his against Mr. Whittle Harvey's motion for the pension list?—There was a very long list printed at the time; but as I stated before I believe as little attention was paid to that list as could be conceived; if money had come in, those lists would have signified very little.

485. Do you recollect whether that was among the list?—I cannot say.

486. Colonel Anson has been in the habit of visiting Mr. Coke, has he not?—He has.

487. Have you ever heard complaints made that during the time of his residence in the neighbourhood of Yarmouth he has neglected to appear in Yarmouth?—I never heard that complaint till the last election.

488. Do you mean, after the last election?—During the last election; it was made as a charge against him, and we were told that honourable members who might be elected would come down every three months and visit their friends.

489. Did Colonel Anson attend the election in 1832?—I think there has never been an election that he did not attend.

490. Did he visit Yarmouth between the election of 1832 and 1835 at all?—I cannot say; Mr. Barth will be able to say, for he generally goes to his house.

491. Was not the canvass by the Red party commenced much earlier than that on the part of the Liberal party in the last election?—It was commenced earlier, but how much earlier I cannot say.

492. On former elections, how, as you believe, has the canvass commenced, earlier or later?—The difficulty has been with our opponents to find a candidate, and therefore we have generally had the start of them.

493. Up to the year 1818, what were the principles of the candidates who were generally returned; were they not what are called the Tories for some considerable period?—Yes; but I remember before that when Whigs were returned.

494. In 1818 Colonel Anson and Mr. Rumbold were returned for the first time?—Yes.

495. And have been returned at every election that has taken place?—Yes.

496. Can you at all account for the change which took place in 1818 with respect to the principles of the freemen of Yarmouth in returning candidates to Parliament?—In the year 1818 I took very little interest in the election till it approached, but there were meetings for months, I believe, more than months, previously to the election, which operated, I have no doubt, very greatly in turning out the Tory members; there were very many topics just then, which agitated the country; and those topics were made use of, I have no doubt, to turn out the Tory members, but I did not then take an interest in the earlier part of it.

497. You state that at the last election you were told that the voting money was to be paid by the Red party, by whom were you so told?—By a person of the name of Thompson.

498. Is

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498. Is he a schoolmaster at Yarmouth?—Yes.

499. And took a very active part in the election for the unsuccessful candidates?—Yes.

500. You also state that you saw a number of voters at Green's receiving this money?—No.

501. Around Green's door you saw voters?—Yes.

502. Among those voters were there any men that were not freemen who were householders?—I think not.

503. But you will not state, though they were well known to you?—No, I will not, because, in fact, I walked past them; it was a mere passing observation; I did not believe the fact, and walked by to ascertain it for my own satisfaction.

504. You state some occasion where a freeman very much forgot himself and committed an assault upon your person; he stated that you had robbed him of his birth-right?—Yes, he said that afterwards.

505. Alluding to the payment of the two guineas by the members of Yarmouth?—Yes.

506. Who were the principle parties who were prominently brought forward on the part of Mr. Baring?—Mr. Preston, Mr. Ambrose Palmer, Mr. Richard Ferrier.

507. Are they not shipowners?—Ship-builders.

508. To a considerable extent?—Yes.

509. And have a considerable number of men in their employ?—Yes, they have.

510. Mr. Preston at the prior election voted for Mr. Rumbold; do you recollect that circumstance?—If he did it is very extraordinary; he generally has voted against us, and we have always considered him as our opponent; I find he voted for Rumbold and Colville.

511. In the election of 1832?—Yes.

512. How did Mr. Palmer vote at that election?—I think he did not vote at all.

513. Do you think it quite impossible that Mr. Preston having voted for Mr. Rumbold at the previous election, and in the last election having voted for Mr. Praed and Mr. Baring, the men might be influenced by the manner in which their master voted, in giving their votes?—In some degree I have no doubt they were.

514. You have been asked as to the causes of the dulness which appeared on the part of the Blues, and certain reasons have been suggested for that dulness, were those suggestions proceeding from the opponents of the Reds or from the friends of Colonel Anson?—Certainly, all of them, from the opponents of Colonel Anson, none of them from his friends.

515. You stated that you had canvassed considerably on his behalf; did you, from any of the voters whom you canvassed, receive as a reason for their not voting for him the fact of his not having attended to his duty?—No, not one.

516. So that the voters did never state that as an objection to you; but they did state that the fact of the not receiving the two guineas was the reason why they would not vote for him?—Repeatedly.

517. With reference to this vote-money and the opinions that have been put to you as to its being bribery or not, was it not considered as a tolerant payment because both sides made it?—Yes.

518. Did you consider it bribery or not?—I did not consider it bribery, as I have always said I do not consider it bribery while both parties paid it, and whilst it was well known that both parties paid it, because such a payment could not influence a person's vote, since he knew, whichever way he voted, he would receive the two guineas; but when he knew that the Blues would not pay it if he had a hope of receiving it from the Reds, it would be bribery, as it would have an influence on his vote.

519. Has not it been considered a reproach upon any respectable man in the town that he received the two guineas?—Yes.

520. He has been reproached that he has taken it as being in respectable circumstances and as one who ought not to have taken it?—He has very often.

521. In the election of 1826, do you recollect that the two guineas were paid by the Red party?—I think I explained that Mr. Lacon did not come forward and that the money was not paid.

522. Was the election contested in 1826?—It was partially so.

523. Did it go to a poll?—Yes; but the numbers were 645 to 250.

524. You

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524. You stated that the payments were made on both sides previously to the Reform Act, have they been paid on both sides since the Reform Act?—As far as our side is concerned, positively not.

525. Was there ever any communication between the committees of the two candidates at the last election or prior to the election, on the subject of the payment of this money?—Not to my knowledge; and I think, as I was chairman of the committee, I must have known if any such communication had been made; no official communication, certainly.

526. You stated that you were publicly charged with having lost the election; on what occasion was that?—I mean by the friends of Anson and Rumbold.

527. What do you mean by the term "publicly?"—In our committee room.

528. Did you make any reply to that charge?—I stated that, as I state now, if the case occurred twenty times, I would take the same part.

529. Did you admit that you were instrumental in losing the election?—No, I did not, because I always thought that such men would rather have voted than taken the money.

530. Is Mr. Green a publican?—Yes, he is.

531. Do you know whether the parties you named early in this sitting as being interested in the canvass for the Red party were formally constituted into a committee?—I think I stated, that when Mr. Praed first came down, he found "Beresford's and Praed's Committee Room" over the door; and he ordered the board to be taken down, and said that he would have no committee; therefore I am bound to suppose that there was no committee; those gentlemen nevertheless were very active in canvassing.

532. You stated that Colonel Anson accompanied the processions; did you ever see Messrs. Praed or Baring accompany processions?—I have sometimes Mr. Baring, and I think Mr. Praed.

533. Although the board was taken down at the instance of Mr. Baring or Mr. Praed, and the committee dissolved, did not the same parties continue to act through the election who had formerly acted on the committee?—The rooms appeared to be frequented by the same parties, and every thing went on as before, except that there was no board; I saw no difference.

534. When you say that you were reproached during the course of the proceedings, during the canvass, and during the election, for opposing yourself to the payment of the two guineas, is the Committee to infer that it was generally understood and talked of, that the two guineas would be paid by the opposite party?—No, I cannot say that; there might be a fear that that might be the case.

535. But nothing expressed?—No, I never heard it spoken of.

536. And there is no instance within your individual knowledge of a person coming to you, and stating to you, or any member of the Liberal party, that unless he received the two guineas, he would vote for the opposite party?—I did not hear that.

537. Had you any discussion in the committee for the Liberal party, as to the propriety or impropriety of paying these two guineas as heretofore?—I stated in the early part of this meeting, that several of our friends meeting at Mr. Brightwell's had talked it over, and several of those gentlemen were anxious that the money should be paid.

538. Was that in the committee-room?—No, in a private room.

539. It was a matter of debate on that occasion, whether you should resort to the old system or not?—Yes, saying that thirty or forty voters were collected, who said that they would not vote, but on the payment of the two guineas.

540. That was when you received the intimation from the White Hart?—It was.

Mr. *William Barth*, called in; and Examined.

Mr. *William Barth.*

541. WILL you state to the Committee the names of the gentlemen whom you saw canvassing with the present members for Yarmouth, during the time of the canvass at the last election?—I cannot attempt to state all the names, as it will be a matter of considerable time to recollect them.

542. The names of those that you remember?—There were several gentlemen of the names of Lacon and Preston.

543. Will you distinguish the Mr. Lacons whom you saw?—Mr. John Edward Lacon, the gentleman who is here.

544. Did

544. Did you see Mr. John Mortlake Lacon?—Yes.

545. Mr. Edmund Lacon?—No, I do not recollect; Mr. John Penrise.

546. Mr. Ferrier?—Mr. Richard Ferrier.

547. Mr. Green?—Yes.

548. Did you see Mr. Bateman?—I may sometimes have seen him, but not so very often.

549. Mr. John Costerton?—Mr. John Fisher Costerton, Mr. Samuel Costerton, Mr. Jacob Harvey, Mr. Lushington Preston.

550. Mr. Robert Corey?—Yes; Mr. John Fisher.

551. Mr. Prentice of Gorlestone?—Yes; the party was so numerous that it is difficult to recognize them.

552. Have you brought with you a bill that was issued during the canvass relative to Mr. Praed's appointment to a situation under Government?—I have.

553. Was that the bill?—[*The same being shown to the Witness*]—Yes.

554. Was that issued and distributed during the time of the canvass?—Yes.

[*The same was delivered in and read, as follows:*]

"The friends of Mr. Praed are respectfully informed, that letters have been received from him to-day, announcing his intention of returning to Yarmouth to-morrow. It must also be a matter of congratulation to the freemen and householders of Yarmouth to be informed that he has been appointed Secretary to the Board of Control, the duties of which office will bring him in direct and intimate connexion with the commercial interests of this country.

"Yarmouth, Wednesday 17th Dec. 1834."

555. By what party was that issued?—By the Red party.

556. Was any other bill issued relative to the men, Boyce and Stevenson?—Yes.

557. Will you put in the other bill?—

[*The Witness delivered in the same, which was read, as follows:*]

"Bribery.—Mr. Boyce, junr. promised Anson and Rumbold. To break his promise, the Reds gave him four guineas, and promised him four more. To Mr. Stevenson of Gorleston a certain Red gave two guineas and promised two guineas more. Mr. Boyce and Mr. Stevenson true to their colours, have voted Anson and Rumbold. The money paid them is forthcoming. Freemen of Yarmouth take their bribes, but follow the example of Mr. Boyce and Mr. Stevenson, and vote Anson and Rumbold."

Witness.]—It was issued by the Blue party.

558. Was that extensively circulated at the time?—It was.

559. During the canvass was any communication received at any time when you were present relative to men who were ready to go up to vote, four at one place and six at another?—On the second election day, in the course of the morning, I saw six men at the King's Head, and four at the Half Moon.

560. Were those men voters?—They were.

561. Had they polled?—They had not, and they objected to poll till they were either promised to receive the four guineas for the previous election, one or two of them had voted before. I told them that they would not receive it, nor would they receive it if they voted at this election; they were very dissatisfied, and I left them, assuring them that I could say nothing more to them, that they must please themselves whether they voted or not.

562. Do you know whether or not those men afterwards voted?—Some of them voted; but I believe three or four were too late; they hesitated so long that the poll closed before they voted.

563. Do you know how those voted that did vote?—No, I did not take an account of it at the time.

564. Did they say that they would vote for you if you promised the money?—In the confusion of a public-house at the time of the election, I understood that I was to speak to the men about the two guineas to induce them to vote for Anson and Rumbold.

565. Did you speak to them?—I did.

566. Did you hear the report that the vote-money was to be paid?—I heard it several times reported.

567. At any time had the voters said any thing to you, or in your presence, upon the subject of vote-money?—Shortly after the money was paid, several times in passing along the quay of Yarmouth I heard some of the Red freemen

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addressing the Blue freemen evidently that I might hear it, "We have got our money, why do not you get yours; if your party were as honourable as ours they would pay you as well as ours." Those were as near the words as I recollect; several times I heard it.

568. Was there any occasion on which voters assembled under your windows?—Upon two evenings, shortly after the money was paid, they called out very loudly under my windows, why did not I pay to the Blue freemen the same as the Red had been paid; why did I keep back the money from them, and so on.

569. Did that occur more than once?—Twice.

570. Had you in the committee any particular appointment, were you treasurer?—No.

571. Were you known to those people upon the quay as an influential man upon that committee?—I have always been active for many years.

572. Do you believe that those men, when they used those expressions, knew you to be so?—Yes.

573. You have assisted in all the rest of the elections for Anson and Rumbold?—Yes.

574. And they have sat in the last seven Parliaments?—Yes.

575. Were the persons whom you have named as canvassing, persons who generally in preceding elections acted for the Red party?—Generally they were.

576. They were persons who acted that part in preceding elections?—They were.

577. Were you not treasurer?—I was not.

578. Have you any means of ascertaining what the expense of the canvass was at that election, though you were not treasurer?—I stated to the Committee on Thursday last that the expenses of Anson and Rumbold at the last election were as near as I could compute 3,300*l.* for the two.

579. Can you subdivide that into particular items, showing what was spent before the election?—No, I cannot.

580. Do you recollect a procession which took place on the 30th of December last, to meet Mr. Baring and Praed on their entrance into Yarmouth?—I recollect that procession, but I do not know the date.

581. Do you recollect a handbill being distributed about Yarmouth to that effect?—Yes, very well.

[*The same was delivered in, and read as follows:*]

"The independent freemen and electors in the True Blue interest will meet on the South Town road this afternoon at two o'clock, to accompany Colonel Anson and Mr. Rumbold round the town.—N.B. The Unions will attend the procession.—Tuesday, December 30th 1834."

We had often previously to that had processions on the road.

582. This was issued by the committee on the Blue interest?—It was issued by the party.

583. The bill states that the procession is to be round the town, to accompany Colonel Anson and Mr. Rumbold round the town; do you call those buildings which are on the other side of the river over the bridge, a part of Yarmouth?—It is within the borough of Yarmouth.

584. Is there any use in taking a circuit of Yarmouth in going through that part?—It was a most convenient spot for the friends of Anson and Rumbold to assemble at; they could not assemble any where else.

585. Where was the room where the friends met?—In what is termed Regent-street.

586. Were you aware from that, that the Red party issued a placard, stating that they would assemble to meet the members at their entrance into the town?—I was.

587. Did they not state that they would meet them over the bridge?—I have no doubt that they did.

588. Are you aware that such procession on the part of the Red interest did take place?—Very well.

589. Was this on the members coming into the town, or after it, sometime after they had been at the town?—Mr. Praed had been some weeks before in Yarmouth.

590. It

590. It was not an entry ?—I rget the particular circumstances of it now ; it was not an entry, as far as I rocollect.

591. Mr. Praed had been in Yarmouth canvassing, and had left for some time, and had gone to London, had he not?—I think it is very likely, it might be so, but I do not recollect.

592. Was not a meeting of the Red party summoned to meet Mr. Praed after his return from London?—I have no doubt it was so, but I cannot recollect dates.

593. In pursuance of this notice a meeting of the Blue interest took place? —Yes.

594. Did that procession march across the bridge?—I should state first of all the usual place for the Blue party to assemble was nearer to the town, on the South Town road, than the place where the Red party assembled, consequently the Blue party must be the first to enter the town; I wish that to be understood by the Committee.

595. Had the Blue party been in the habit of having processions so early as as two o'clock in the day, prior to the 30th of December 1834?—Yes, several times.

596. Did you cross the bridge, or did the Red party cross the bridge first? —I have stated that the Blue party must enter the town first, because they formed on the road nearest to the town.

597. You were aware that the intention of the Red party was to meet Mr. Praed?—Yes.

598. And the Blue party had taken possession of that part of Yarmouth which lies across the bridge?—I have stated that the usual place where the Blue party assembled was on the South Town road, near to the place where the Red party assembled.

599. Did the Blue party cross the bridge first?—They did, they assembled on the road nearest to the bridge and crossed the bridge first.

600. Then the Red party must necessarily cross the bridge?—Yes.

601. And if the Blue party remained stationary they must pass the Blue party?—The bridge being very narrow it caused delay, a large procession forming after they went over the bridge, and the Blue party formed as soon as they could after they crossed the bridge.

602. Is there only one bridge?—Only one bridge—a drawbridge.

603. The Red party crossed the bridge going from Yarmouth towards the road, where they met the members from London?—They went individually, some on horseback, and others on foot, and they crossed the Blue party where they were forming to go to their own party.

604. On which side of the bridge did they pass the Blue party?—On the South Town road.

605. Were you with the Blue party on that occasion?—Yes, I was.

606. You are a magistrate of the town of Yarmouth?—Yes, I am.

607. Upon the return of the Red party some quarrel took place between the two parties?—After the Blue procession had got completely over the bridge and during the time that they were closing up, the head of the Red party had got to the foot of the bridge, one of the gentlemen riding on horseback, I was in the rear of the Blue party to keep every thing in good temper, asked me, "Which way are you going to proceed;" I took hold of his horse's rein to tell him, and during the time that I was pointing out which way we should go, several gentlemen at the head of the Red party rushed forward and rode among the people of the Blue procession.

608. Do you know a man of the name of Cogle, a mayor's officer?—Yes.

609. Was he there at the time?—I do not recollect.

610. Have you no recollection of his saying words to this effect, "Good God, Mr. Barth what are you doing here as a magistrate of Yarmouth?"—No, I remember doing all I could to prevent mischief. After those gentlemen had rode among them I might see Mr. Cogle, but it was after the mischief taking place and not before.

611. Then you have no recollection of his expressing his astonishment at your being present?—I did my duty on that occasion, and if other gentlemen had done theirs, there would have been no disturbance.

612. Do you recollect his using that expression?—No, I think I should have made an observation first to Mr. Cogle before he addressed me at all.

613. Do you recollect any such circumstance as that alluded to taking place,

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Mr. Cogle stating to you words to this effect, "Good God, Mr. Barth what are you doing here as a magistrate?"—If he said that it must be from my danger and nothing as a reflection upon my conduct.

614. Do you recollect Mr. Cogle having stated that or not?—I had spoken to a great many persons as I said before, urging every one to do all they could to prevent mischief, and I think I saw one or two of the mayor's officers and perhaps Mr. Cogle, but he certainly never addressed those words before I addressed him, and then he spoke as to my personal safety and not in any other light.

615. Do you recollect Mr. Cogle stating that he should feel it to be his duty to interfere, and to remove you from that spot where you then were?—Certainly he did not, Mr. Cogle never spoke disrespectfully to me in his life, and I am sure he did not upon that occasion.

616. Were the men composing the Blue party upon that occasion furnished with staves of any sort?—After the horsemen had rushed into the procession the flags were taken off the staves, and the staves were broken into short pieces to protect themselves against the horsemen.

617. By whose directions?—By none, not by me certainly.

618 Then if any witness should state that you gave those orders he is mistaken?—I certainly did not.

619. Do you know Mr. Frederick Preston and Mr. Palmer of Yarmouth?—I know Mr. Frederick Preston, but I do not know Mr. Palmer, unless I know his christian name.

620. Mr. Ambrose Palmer?—Very well.

621. How many men has Mr. Preston in his employ?—Forty or fifty altogether perhaps.

622. Do you know whether any considerable portion of those men in the employ of Mr. Preston are freemen?—A very large portion.

623. Mr. Ambrose Palmer?—He has not so many men, probably about 30.

624. A considerable number of them freemen?—Yes.

625. Do you recollect whether Mr. Preston voted in the election of 1830 for Mr. Rumbold?—Probably he might, I do not recollect.

626. Do you think that there would be any thing extraordinary in the freemen following the inclination of their masters in the votes that they should give; is it very unusual for a man who has a number of persons in his employ to have a considerable influence with them?—That must depend upon the conduct of the master in exercising his influence.

627. But it would be nothing extraordinary if such influence did exist and were exercised?—No, I am afraid not, because it is very often exercised.

628. You have put in a bill which you state was issued by the Red party at the last election, are you aware that that bill was issued by the knowledge of Mr. Praed?—No, it was printed by the Red printer and issued by the Red party.

629. But you are not aware that Mr. Praed was cognizant of the intention in issuing that?—I can say nothing of that.

630. The second bill which was issued by the Blue party, by whose order was it issued?—I do not know; I saw it up before I knew of the circumstance.

631. You are not aware then who were the parties to that bill?—No, I am not.

632. You stated that after the election you had been disturbed by men asking you why the two guineas had not been paid by the Blue party as well as by the Red?—I did.

633. If the intimation of not giving the two guineas had been so general as is stated, why should the observation have been made to you under your window?—It was by the Red freemen passing a short time after they had received the money and calling upon me to act honourably, as their party had done, and pay the Blues.

634. At what time?—At seven or eight o'clock in the evening.

635. How do you know that they were the Red party?—I have no doubt that they were.

636. How do you know that they were not the Blue party?—I have never seen any thing of the kind in the Blue party in the day.

637. How do you know that they were freemen at all?—I stated how it happened, and therefore it is for the Committee to judge.

638. What

638. What time was this, was it before or after the election?—It was after the payment of the vote money.

639. Was it after the election?—A long time after the election.

640. In what month?—It must have been some time about the end of May or the beginning of June.

641. You say you have heard on the quay certain Red voters taunting certain Blue voters?—That was in the day,

642. Did you know those persons to be Red voters?—I did.

643. Did you, on the night previous to that procession taking place, address the voters in the Blue interest?—I cannot pretend to answer that question; I addressed the freemen several times.

644. Do you recollect addressing the freemen and desiring their attendance on the procession on that day?—I do not recollect that; I might have done it, but I do not recollect.

645. This placard was issued by the Blue party?—Yes.

646. Were the gentlemen at the time that was issued of the Blue interest aware that it was the intention of the Blue party to meet their candidates next day?—Yes.

647. That it would be probable that a collision might take place?—Similar processions had often taken place before and no collision had taken place, and if it had not been for two or three of the gentlemen at the head of the Red procession rushing forward as they did no collision would have taken place.

648. What was the object of the processions being at the same hour?—We generally endeavoured to have our processions together.

649. What was the total number of out-voters before the passing of the Reform Bill?—I do not know that I could speak directly to that.

650. Nearly?—The freemen residing in London and the neighbourhood, and at Sheerness and Chatham, that voted for Rumbold and Anson were 230 or 240.

651. Anson and Rumbold had usually a majority of 100?—Taking in our out-voters as well as those; perhaps three-fourths of the whole might be from those.

652. Then 500 would not be less than the total number of out-voters?—Not so many as that; 400 or 450.

653. What was the average expense of bringing up to vote those out-voters in the general run of elections?—That depends upon a great many circumstances, the length of time that they were kept at Yarmouth when they went down to the election, and how many meetings they might have attended in London, and a variety of things which made one election more expensive than another, it would vary from 20*l.* to 30*l.* each travelling expenses from London and coach-hire, for we frequently had to engage extra coaches.

654. That would be about 4,000*l.*?—Yes.

655. How many 10*l.* householders voted for Messrs. Anson and Rumbold in 1832?—I have no means of answering that, I will endeavour to furnish that information to-morrow.

656. It has been stated that no petition has ever been presented in any election for Yarmouth, except the election of Dr. Lushington and Lord Suffield, and that Dr. Lushington accepted the Chiltern Hundreds, is that so?—In the year 1807 the petition was against Dr. Lushington, and he accepted the Chiltern Hundreds.

657. Are you aware of any prosecutions for bribery against the freemen of the town?—No, none.

658. Are you aware in the Cirencester case in 1802 head-money very publicly distributed immediately after the election, while the poll was going on was held by the committee of the House of Commons not to be bribery?—I do not recollect that; my experience is about 30 years, and it is beyond that.

659. Are you aware that vote-money or head-money has not been considered as bribery?—I do not recollect any decision of that sort earlier than that period.

660. Is there any thing in the Reform Bill to alter the character of the law in that respect?—I have always understood that there was a resolution of the House of Commons which altered the character.

661. But not in the Reform Bill?—No, it was a resolution of the House of Commons after the Reform Bill.

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662. That applied to cases of bribery?—We considered those, according to the wording of that order, would come within the scope of it.

663. The reason why it was given so long after the election was over was its being well known that if given before the election it would have been bribery, was it not?—Yes, it would.

664. And its being given so long after was in order to avoid the proof of bribery?—I dare say that might have been the case.

665. In the election for 1834 was it soon known throughout Yarmouth that the two guineas would be paid at the house of Green two days before the payment took place?—I heard it reported two or three times before the payment took place that the payment would take place, and I heard that a box full of sovereigns had arrived by the coach; but that was not the case.

666. Did you understand that it would be paid by both parties?—No, by the sitting Members. I stated that it was the intention of Colonel Anson and Mr. Rumbold, that under no circumstances would they pay the vote-money for the election of 1832 or 1835, that was determined without any reference to expense, because Colonel Anson and Mr. Rumbold repeatedly said, we will incur any expense that is necessary that we can legally; but we cannot legally pay the vote-money there, and we will not.

667. But it was notorious throughout Yarmouth a few days before the payment of the money by the Red party, that it would be so paid?—It was reported.

668. It was not professed to be kept a secret at all, every body knew the report?—I have no means of knowing who circulated the report, and therefore I cannot say.

669. Have you signed the petition in this case?—I believe I have not.

670. Was the declaration by Colonel Anson and Mr. Rumbold, that the money would not be paid, publicly made?—I do not know how to answer that better than by stating that Colonel Anson told every freeman in the course of our canvass that it would not be paid.

671. Were you asked the question very often?—Yes.

672. But you are opinion that an impression prevailed on the minds of the voters on your side that it would be paid?—No; I said that I thought there might be a hope of it; but they had no reason for that.

673. Your knowledge of the elections for Yarmouth extends over a considerable period of time; do you recollect the establishment of the system of vote-money in connexion with the elections of Yarmouth?—No, it was before my time.

674. Do you know whether any legal opinion was ever taken by any of the agents of any of the candidates as to the legality or illegality of any such payment?—Such opinions might have been taken by professional men without my knowledge; I only know that we had opinions after the Reform Bill was passed, and the answer to that opinion was that we could not legally pay it then.

675. You say you took opinions after the notice of Lord John Russell as to the payment of this money, whether or not it would be bribery, and the answer to those opinions was that it would be considered bribery; was that answer circulated; did you in justification of yourselves circulate that?—Yes, we always told the freemen that we had taken the opinion of counsel and could not legally pay it; Colonel Anson stated that every time he was asked the question, and Mr. Shelley at several meetings, at the largest meetings we have, stated that to the whole assembly.

676. Was it or was it not the practice in former elections of the freemen to ask previous to the election whether the vote-money would be paid or not?—No, I do not think the question was ever asked, because it was always paid as a matter of course.

677. Was it ever promised?—Nothing was ever said about it.

678. You stated that there were four electors came to meet at the inn; do you know the names?—No.

679. Do you recollect any of the six whom you mentioned?—No.

680. Did you know them?—I know half of the freemen of Yarmouth by sight, but I cannot call them by name.

681. You have handed in a bill which you say was issued by the Blue candi-

dates

dates without your cognizance; do you know anything of the facts that were alleged in that handbill?—No, I do not.

682. You know nothing respecting this, that Mr. Boyce, jun., had promised his vote, and then breaking it?—No, only what I know from report.

683. You know nothing of Mr. Stephenson having two guineas?—No.

684. Do you know who is alluded to as having possession of that money?—No, I presume it was Mr. Stephenson.

685. The bill states that the money paid to those men was forthcoming; you do not know to whom the handbill alludes?—No, no more than the words of the bill convey.

686. By Mr. Shelley's evidence the total number of persons who voted for Colonel Anson and Mr. Rumbold in 1832 were 838, of those 451 were freemen, which leaves 387 10*l.* householders voting for Anson and Rumbold in 1832. In the election of 1835 the total number of householders voting for Rumbold and Anson were 234; the falling off then in Messrs. Anson and Rumbold's unpopularity among the 10*l.* householders was in the same proportion as the falling off of their popularity in the freemen?—I think that cannot be correct; there might be a great difference as to the number on the revising barrister's lists; there were a great many objections made in the antecedent year to 1835, and probably a great number might be struck off; but I am not aware how that was.

687. Many of the freemen might have gone out of their residence?—They might have gone, but I think not a great many.

688. A handbill was put in evidence by Mr. Shelley which was circulated before the election; do you remember that bill?—Yes, I recollect very well to have seen that bill.

689. Was that bill posted up?—All about the town.

690. Was it posted up before the election?—Yes.

691. To apprise those freemen of the illegality of receiving this money?—Yes, the same as they had been told.

692. Who published that bill?—I have no doubt that it is by the Blue party; I could tell if I saw the bill.—[*The handbill was handed to the Witness.*]—Yes, it was by the Blue party.

693 Then it was not the sense of propriety, but it was a fear of punishment which deterred the Blue party from giving the two guineas?—If we could have paid it legally we should have paid it, there is no question about it, and have been very glad to give it to obtain the last election.

694. Then this petition is not presented from a very strong sense of the gross impropriety of the practice?—I do not know that I should be right in showing to the Committee a handbill which is in my pocket, which was the foundation of it; some parties afterwards formed themselves into a club, and they petitioned.

695. Does the petition arise from the inveteracy of the habit?—Of course it was.

696. You were asked a great many questions about drunkenness, can you state to the Committee that you decidedly observed the periods when those two guineas were paid that there was an increase of drunkenness upon that?—No, I cannot say that.

697. Were those very convivial meetings when you attended to pay the money to the outvoters of Chatham and Sheerness?—They would be of course.

698. Did you assemble the 240 or 250 altogether to receive the money?—No, they were divided; perhaps 40 at Chatham, and 40 at Sheerness, and a larger number at London.

699. Did it ever come to your knowledge, that in case of a death happening between the period of the vote being given and the money being due, any sum of money was paid to his family?—I always paid the sum to his wife or brother, or whatever it might be, as if he had lived.

700. Did you wish just now to state the circumstances which led to the presentation of this petition?—I put in a bill.

[*The same was delivered in and read, as follows:*]

Fellow Townsmen,—It being now positively known that the corporation party failing in their attempt to threaten a number of voters so as to induce them to vote for Praed and Baring, and having positive proof that Mr. Praed not only sanctions bribery, but that he actually pays men to go and bribe the poor freemen, we, the members of the Union of the

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Working Classes do hereby solemnly declare, that every man who takes a bribe, and votes contrary to his conscience, will be considered by us an enemy to his fellow labourers. We bid him remember that he is a traitor to his country, an enemy to himself, and a curse to society. We warn him that he will be marked by us; and that it is our determination to make an effort to deprive him of his elective franchise: that those persons who give their votes openly, boldly and conscientiously may not suffer from the effect of their guilt; for it is better if a man's poverty induces him to take a bribe, it is better, we say, to vote against the party who gives the bribe, than to have it publicly said, "such a man sold honour, honesty and integrity for gold." We tell Mr. Praed and Mr. Baring that we believe their cause to be bad indeed, when we find them descending to such cowardly and stealthy practices. Fellow townsmen, we do not believe their talk about reform, they are playing with you, and we call upon you to assist us in putting an end to a system which, if successful, will leave a stain upon our characters never to be effaced.

By order of the Committee of the Union of the Working Classes.

701. What is the Union of the Working Classes?—Political Unions.

702. Are you aware from whom this placard proceeded?—From a society called the Political Union Society I should suppose they are designated.

703. Do you learn that from the handbill itself, or do you know it from some other information?—I heard it talked of by some men, members of the society, at the time it was published.

704. Are you aware who wrote the placard, whether it was written by the secretary of the Union?—I have no doubt that it is written by the secretary or their council. I heard that they had a meeting, and that it was agreed upon by that meeting, and since that the parties who had issued that bill have formed themselves into a club for the purity of election; and from that club the first petition that was presented to the House by Mr. Grote emanated.

705. Is this a Trades' Union or a Political Union?—It is called a Trades' Union; I thought they were understood as being the same.

706. Does it comprise freemen?—Some freemen, and some not freemen.

707. The majority are composed of non-electors?—Yes.

708. Have you any reason for knowing that this is the case?—Several of the freemen that were members of the society stated at our committee-room that they were exceedingly averse to any thing of bribery going on, and that they had called a committee of their Union to take it into consideration, and I saw the same parties the next day, they said we should see a handbill of the resolution of their meeting, and this is the handbill.

709. Have you known any instance of money being paid to a wrong individual, and another application made for the money which has been paid?—I believe a solitary instance has occurred.

710. Was that handbill published before the election?—Yes, some time.

Samuel Maddison, called in; and Examined.

Samuel Maddison.

711. WHAT are you by trade?—A cabinet-maker.

712. Are you a voter of Great Yarmouth?—Yes.

713. You vote as a freeman?—Yes.

714. Were you canvassed at the last election, and by whom?—I was canvassed by Mr. Harbord Lushington Preston.

715. By anybody else in his company?—Mr. Praed and Mr. Green were present.

716. Did you poll at the last election?—Yes.

717. For whom?—For Praed and Baring.

718. After the election, did you hear any report about the payment of the Red voters in vote-money?—No.

The Chairman informed the Witness that he was not bound to answer any question criminating himself.

719. Are you now ready to state, after having received that caution from the Chairman, the whole truth connected with the proceeding?—I am.

720. Did you go to Green at any time after the election; do you know Green?—Yes.

721. What is he?—A rope-maker.

722. Does he also keep a public house?—Yes.

723. Did you go to Green's?—Yes.

724. What

724. What led you to go to Green's; had you heard anything that induced you to go?—I heard on the 13th of April, I was going home to dinner, and somebody told me. *Samuel Maddison.* 28 July 1835.

725. In consequence of something you heard, you went to Green's?—Yes.

726. What did you do there?—When I got there, I went into one of Green's rooms, a public room; when I got there I sat myself down, and took some ale in his house.

727. Did you see any other man go into Green's at all?—Yes.

728. Did the man come out?—Yes.

729. Did you go into the room whence you had seen the man come?—Yes.

730. Did anything happen which induced you to go into that room; had any body spoken to you?—I had been talking to a young man previously to going into that room.

731. Did you go into that room?—Yes.

732. Whom did you see there?—Mr. Green.

733. What did you see or do there, besides seeing Mr. Green; state what you saw when you were in the room?—When I went into the room, I saw Mr. Green standing there, and he did not speak to me, nor I to him; but when I went in there, Mr. Green was standing against the table, and he gave me two sovereigns and two shillings.

The Committee inquired whether the notice served upon Green could be proved.

The Committee were informed that the service of the notice could not be proved at present, as the person who served the notices was not in town.

The Committee-room was cleared.

After some time the parties were called in, and informed that the Committee had resolved that names of parties mentioned in evidence as charged with any offence, are to be received on the condition that it be subsequently proved that persons so charged have been served with notice subject to such evidence being struck out in the case of the failure of such proof of notice.

Samuel Maddison, called in; and further Examined.

734. When you got into the room, did you take those two guineas?—Yes. *Samuel Maddison.*

735. Was there any motion that he made to you, by which you knew that they were for you?—He put them into my hand, and I understood that they were for me by that.

736. Had Green known you as a freeman previously?—I have no doubt of that.

737. Was there any circumstance that entitled you to receive money of Green, except that you were a freeman and had polled, that you know of?—Not any.

738. Did you believe then, that the reason why you were allowed to take those two guineas off the table, or that he gave you those two guineas was, because you had polled Red?—I judged that that was the case when I received it.

739. Did you wait in Green's tap-room for a time, before you went in?—Yes.

740. Whilst you were waiting there, did you see another young man whom you knew to be a freeman?—Yes.

741. Did any thing pass between you and him about the vote-money at that time?—Not that I recollect.

742. Did he say any thing about having received it?—Yes.

743. Did he tell you?—Yes, he did.

744. While you were waiting?—Yes, I understood from him that he had received his.

745. He had been in the room before you?—Yes.

746. Have you any objection to state the name of that man, if the Committee will allow you; do you know his name?—Yes.

747. What was his name?—Am I compelled to say his name?

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748. You have said you were willing to state it if the Committee would wish it; what was his name?—William Bull.

749. Prior to the time of your voting, had you gone to any of the Red houses?—Yes.

750. Had you paid there for what you drank?—On some occasions.

751. Were there any occasions when you went there and took liquor without paying for it?—Yes, two or three.

752. Will you state the first?—The first house that I took liquor at was at the Rose.

753. By whom is that kept?—Mrs. Breeze.

754. Did any thing pass there about a ticket?—Not on the first occasion; I was taking a pint of porter at my own expense.

755. On the second?—I received a ticket which I did not take off the table, but I was served with a quantity of smaller tickets to the amount of half-a-crown, I think it was.

756. Who produced them?—Mrs. Breeze.

757. Did the liquor come in consequence of the tickets?—When they were given.

758. The liquor was then given in lieu of the tickets?—Yes.

759. Did you give your tickets?—Yes.

760. Were you afterwards at Mrs. Breeze's previous to the election?—Yes.

761. How often?—Two or three times; I cannot state how many times.

762. On those occasions, what you took was not paid for by you?—No.

763. Nor any promise made by you to pay for it?—No.

764. Were you at any other house?—No.

765. At a house of the Red party?—No.

766. At no time?—Yes; I went to another house.

767. As a voter connected with the election?—Yes, I went to another house.

768. Had you any thing there to drink?—Yes, at my own expense.

769. Was there any occasion on which you received tickets, other than those at Mrs. Breeze's?—No.

770. Have you stated all that you know relative to this election?—Yes.

771. You have never received any other money than the two guineas, have you?—No.

772. You have voted Blue on other occasions, have you?—I have.

773. Will you state to the Committee what induced you to vote Red on this occasion; did your wife say that any one had called upon her?—There are many people that called upon her.

774. To canvass her for your vote?—No.

775. Have you ever said that but for a communication that was made to your wife, and which came to your ears, you would have voted Blue?—There are many things that occurred. She is situated in business, whereby she works for ladies on both sides of the question, and she had done many things for the ladies on that side, which I thought, being in their employ, I was in duty bound to oblige those who employed her.

776. Was it in consequence of some communication made to you by your wife, that you voted Red?—Yes.

777. And that communication was a wish that you should oblige her customers?—Yes; that was the state of the case.

778. A feeling on your mind that it was your duty to oblige your customers?—Yes; I considered it so.

779. Do you imagine that your wife would have lost those customers if you had voted the other way?—I cannot say that I was much afraid of it, for I did not think that, but I thought it an object to do a kindness for them, and my being in employ, people are awkwardly situated at different times, and they do not know what to do.

780. Did you go up to poll with a gentleman of the name of Sloman?—Yes.

781. Was he a canvasser on the part of the Reds?—I do not know.

782. Were you with him at a Red house?—Yes.

783. Did he ask you to take refreshment at that time?—Yes.

784. Did you take it?—Yes.

785. Did you pay for it?—No.

786. When you went to this place where you received those two guineas, did

did you see more than one voter at the same time?—There were a number of men in the room.

787. Did you know them to be voters?—I had an idea that they were voters, but I could not recognize them by name.

788. Did you know many of them to be voters besides Bull?—No; I do not know that there are any others that I could name.

789. How long were you there?—Not more than a quarter of an hour.

790. Did many people go into that room besides yourself where you received the money?—I did not see more than one man go in.

791. How many did you see come out?—I did not see any more come out.

792. When did you receive this money; what was the date?—The 13th of April.

793. Was any promise made to you of money before the election, directly or indirectly?—No.

794. Have you voted at any former election?—I have voted at five elections.

795. Did you always vote Blue before?—I voted three times Blue and twice Red.

796. Did you receive two guineas on former occasions for your vote?—Yes.

797. From Blue or Red?—Three times I have received from the Blue but never from the Red.

798. Had you any understanding before you voted, that something was likely to be done for the freemen?—No, I had no idea of it.

799. You thought the old custom was put an end to?—In the election previous to that I received nothing, and therefore I did not give it a thought.

800. Made no inquiry?—Made no inquiry; I did not trouble my head about it.

801. Did you, as one of the voters of Yarmouth, understand previous to the election, that no vote-money would be given by the Blue party?—That was talked about by many people; there were words passing, but I had no idea myself that that would be the case.

802. Do you mean that it would be given?—I thought myself that it would not be given.

803. Why?—I thought that as there had been a disposition on the other side, it would not be the case.

804. Was it because you had received nothing in 1832, that you thought it would be put an end to?—Yes.

805. Was Green's a Red house at the election?—Yes.

806. A red flag?—Yes.

807. Were those tickets given you by Green?—No, at Mrs. Breeze's.

808. How many?—I cannot say.

809. Were they for yourself or for distribution?—They were given for my own use.

810. Had you a dozen?—There were tickets of pints and quarts; there was a ticket given by the persons that were there. I did not take it up but the lady of the house took it up and delivered some liquor to the amount of that.

811. Then did you ever assess the value of that which you called for, or do you suppose that you called for more upon the strength of those tickets than what you could have acquired?—I could not have more than the amount; there were six quart tickets and three pint tickets.

812. Was the measure you got in payment of those tickets better than if you had put your hand in your pocket and paid in your own money?—No difference.

813. You received only a half-crown ticket?—No, there were several in different evenings; two or three times I went there.

814. It was a half-crown each evening?—Yes.

815. How long might this be before the election?—A fortnight before.

816. Did you receive any tickets on the day of the election?—No.

817. Did you get any refreshment besides what you had of Mr. Sloman on the day of the polling, or the day before, or after?—Yes, I had some breakfast at Mrs. Breeze's.

818. Did you pay for it?—No.

819. Where did you dine?—I dined at my own house.

820. Did you vote the first day or the second?—The first day.

821. Was there a nomination?—Yes.

 822. Were

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822. Were there any tickets given on that day?—I forget whether there was a ticket or not; that I cannot say, for I was busy at the time.

823. Would a large ticket, the half-crown ticket you received, be presentable by you to get liquor at any but one place?—That I do not know.

824. You were content to take it from one place?—I went to one place only.

825. You say that the tickets were given you about a fortnight before the election, was there any time limited within which you were to present those tickets?—No; she would have taken them if I had any in my possession to this time.

826. Before the election, or during the election, or after the election?—Yes.

827. You say that you had some breakfast on the day of polling, were there many freemen at breakfast with you?—Yes, a great many.

828. How many?—I should say a dozen or fourteen.

829. Were there any other voters but freemen at breakfast?—Yes, there were a dozen or fourteen sat down to breakfast.

830. Some of those were not freemen?—I dare say there were some there that were not free, but I do not know.

831. Are you a 10*l.* householder yourself; what is the rent of your house?—It is 8*l.*

832. Have you a shop in addition to that for your business?—Yes.

833. Are you on the list of the 10*l.* householders?—No.

834. Could you register as a 10*l.* householder if you had paid up your taxes?—No.

835. Have you a house and a shop, or is your whole rent 8*l.*—The whole rent is 8*l.*

836. Including the shop?—The shop is quite apart.

837. Is 8*l.* the whole rent you pay both for the house and the shop?—The house is not hired under my name for I live with my sister-in-law, so that I am not a householder.

838. Does the shop belong to the same landlord as the house?—No.

839. You had never any drinking at the expense of the candidates but at Mrs. Breeze's?—That is all.

840. Were there any houses admissible to freemen without tickets?—That I cannot say anything about, I did not go anywhere but to Mrs. Breeze's being a house near, I frequently stept in in an evening.

841. Did other householders besides freemen receive tickets?—I think there were some had tickets, I do not know whether they made any distinction.

842. When you are asked about freemen do you mean voters generally, or do you mean to say that you knew that they were freemen?—In a case of that kind with men, women and children you could not distinguish whether they were freemen or not.

843. Were there children at Mrs. Breeze's?—Yes.

844. You do not know of any individual who was not an elector receiving any tickets of this kind?—No, I cannot name one.

William Hall, jun.

William Hall, jun. called in; and Examined.

845. ARE you a Yarmouth freeman?—Yes.

846. Living in Yarmouth?—Yes, when I am there.

The Chairman informed the Witness, that he was not bound to answer any questions criminating himself.

847. Have you any objection to state the truth and the whole truth?—I wish to speak the whole truth.

848. Were you canvassed for your vote prior to the last election?—Yes, I spoke to Mr. Praed.

849. Did he call upon you?—A party called upon me, and I went to Mr. Praed.

850. Of whom did the party consist that called upon you, name those that you recollect?—Mr. —— was the man that came first of all.

851. Who afterwards?—He came by himself first, and he asked me if I would go and vote for the party.

852. Will you name the other gentleman who canvassed you?—There was no one canvassed me in particular.

853. No

853. No one called upon you but Mr. ——?—No.

854. What did he say?—He asked me if I was inclined to vote for that party, I told him I did not know.

855. Will you go on to state what passed with reference to your vote?—He said had I a mind to vote for their party he would go as far as 5*l.* or 6*l.*

856. When was this?—A day or two before the election.

857. What did you say to that?—No, I said I should not go for that, and after that the next day he came with another man, a publican of the name of C. D., and then we had a glass or two of grog, and then he said he would go a little further, and I said that would not do.

858. How much further did he say he would go then?—He said he would go as far as 6*l.* or 7*l.*, and I told him that that would not do, the next day he came with E. F.

859. Who is Mr. ——?—He buys and sells goods, he is a broker.

860. Was he a man active in the election?—Yes.

861. You call him one of the party?—I call him a runner.

862. What do you mean by a runner, a man usually engaged at the elections?—A man that would take all the freemen that he could or as many as he could, he was an agent or something of the sort.

863. Is he a voter himself?—I should think not—not for the borough.

The Committee inquired whether A. B. had been served with a notice under the resolution.

The Committee were informed that he had not, as there was not an opportunity before the witness had given his evidence.

The Committee-room was cleared.

After some time the parties were called in and informed that the Committee had resolved, that the name of the individual who had not received notice be not inserted, and also that, "the Chairman inform the agent, that the Committee expect that he will not implicate any individual to whom notice has not been given, without first drawing the attention of the Committee to the circumstances under which such notice has not been given."

William Hall, jun. called in; and further Examined.

864. You were speaking of A. B.; you said that 6*l.* or 7*l.* would not do?—Yes.

865. Did any body else call upon you?—Yes, the next morning.

866. Who was that?—Mr. Dooblack and another man, whose name I do not know; I know him personally.

867. Two gentlemen called upon you?—Yes.

868. Was Mr. Lacon one of the two persons?—He was one of the three persons; he and Mr. Dooblack and another.

869. Was that Mr. Lacon the person whom you understood as having since obtained a situation in the Custom House?—Yes.

870. Will you state to the Committee what passed between you and those gentlemen on that occasion?—Mr. Lacon and I had several glasses of gin and water.

[*It was admitted that the name of the gentleman who had a situation in the Custom House was John Edmund Lacon.*]

871. Could you name the third individual if you were asked?—I do not know his name; I could very soon find it out.

872. But you are willing to name him if the Committee should at some future period think proper to ask you?—Yes.

873. What passed between you and him?—Mr. Lacon went up stairs with me into a room, and he agreed along with me for 10 sovereigns; and the landlord was called, and Mr. Lacon put the money down, and the landlord took it for me.

874. If the Committee should desire it, have you any objection to state the name of that landlord?—No objection at all.

875. What public-house was this?—The Jolly Maltsters.

876. Was that where you lodged?—Yes.

 877. Where

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William Hall, jun.

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877. Where were you when they came in?—In the parlour.

878. Did any thing pass before you went up stairs between you and the three gentlemen, which led to your going up stairs?—There might be a few words.

879. What were they?—The two men came before Mr. Lacon and asked me if I would go and vote for that party; and I told them I did not know; and then Mr. Lacon came.

880. Was that all that passed before Mr. Lacon came?—No, that was not all that passed.

881. Will you state all that passed?—There was something else the night before.

882. State what that was?—Mr. Dooblack and another gentleman came and asked me if I would see Mr. Praed; I told him I would do so; Mr. Garwood introduced Mr. Praed to me; and Mr. Praed offered his hand to shake hands with me; so Mr. Garwood says, it is Mr. Praed; and I said, are you Mr. Praed; and he said yes, and shook hands with me. I had a bottle of wine, and after that I called for another, and the waiter objected; and he consulted Mr. Praed about it; and Mr. Praed said, "Let him have what he likes;" and I believe I had another bottle, but I am not sure; after that I saw several more there; they were getting under the influence as well as me.

883. Under the influence of what—liquor?—Yes, of course.

884. Was that all that passed on that occasion between Mr. Praed and you?—Yes.

885. Nothing more occurred that night with any of the party?—No.

886. Did you pay for the wine?—Oh! no.

887. The next morning you saw the gentleman and went up into the room as you have stated?—Yes.

888. Was that the next circumstance that happened with reference to your vote?—Yes, with the exception of two or three of the Blues coming and pulling one way and the others pulling the other.

889. Was any thing written at the time up stairs in the room?—Yes, there was a note written, what it contained I do not know.

890. Who wrote it?—Mr. Lacon.

891. What was said immediately preceding the writing of that note?—I do not recollect any thing in fact being said.

892. What did you understand that note was written for?—I did no understand any thing at all about it.

893. It was written at the time in the room by Mr Lacon?—Yes.

894. Given to the landlord?—No it was not.

895. What was done with it?—He kept it himself.

896. Was it a memorandum?—I do not know what it was.

897. What happened next?—He posted the money down and the landlord took it up, and I was to go and vote directly, and I did so, and I voted for their party.

898. After you had voted did any thing else occur?—Yes, I regret that to this present minute.

899. Did any thing occur about a gig?—There was a gig waiting for me at the door to know whether I would ride up, and I said no, I would walk up, I would never ride, and I went and voted for Mr. Baring and Mr. Praed.

900. Did you afterwards arrange with the landlord about the money?—No, I knew that that was already arranged.

901. Have you received it?—I have received the whole of it with the exception of a few shillings.

902. Did you go to Green's after the election, when the election money was paid?—Yes.

903. Tell the Committee what happened there?—I went and took the two sovereigns of one of his sons.

904. Which son was that?—I think it was the middle son, whether or not, I received it of one of his sons.

905. In what way did you get possession of the two guineas?—The son went up stairs and brought the money down.

906. How did they know what you came for?—They did not ask me the question.

907. As soon as you went in?—The money was brought down and put into my hand.

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908. Did any thing pass?—Not a word.
909. Was it two shillings besides the sovereigns?—Yes.
910. Have you now stated all that you received on any occasion?—Except the two tickets.
911. State about that?—That was at the Shakespeare.
912. When did you go to the Shakespeare, and what did you receive?—That was the second election day, two *5 s.* tickets.
913. Who gave you them?—Mrs. Cracknell.
914. What did you do with them, did you drink some of them out?—No, I drank some of them out, and some I kept.
915. Did you exchange them for money?—Yes, I exchanged it for the silver with the exception of having two or three glasses of grog with a friend or two of mine.
916. How did you learn that you could convert these tickets into money?—It was generally talked of among the freemen.
917. In consequence of that did you take those tickets to some person to get money for them?—Yes; I took the tickets of the Red committee.
918. And carried them to Mrs. Cracknell?—Yes.
919. Did you offer them to her yourself?—Yes; and she accepted them.
920. What did you say?—I asked her if she would exchange those tickets, and she said "Yes;" and she left me to do what I liked with the money.
921. Were there more tickets than one?—Yes, there were two.
922. You drunk two or three glasses, and then you took the tickets; did you take both tickets to her?—I took the tickets and she gave me the money for them, and I gave her the money for the liquor I had.
923. That is all you know and all that you have received?—Yes.
924. Did you ever vote at any of the former elections?—Yes.
925. Have you always voted Red?—No, Blue.
926. Have you received any money, as vote-money, at any former elections?—No.
927. Did you ever hear of any money being given to any freemen that voted Blue?—No.
928. At how many former elections have you voted?—One or two; I do not know which.
929. Was that in the year 1832?—I have voted on one I know.
930. You do not know in what year?—No.
931. Was it before or after the passing of the Reform Act?—I do not know.
932. Do you recollect the election of Anson and Rumbold, and Colville and Bliss?—Yes.
933. Were you a voter then?—I do not think I was.
934. How long was it after the election you received those two guineas?—Sometime.
935. A fortnight?—It is longer than that; I do not commemorate that.
936. Do you work in company with any other freemen?—No.
937. There is no other freeman upon the same premises?—No.
938. What made you stand out for so large a sum of money?—Fancy.
939. What chance had you of getting it?—I chanced that.
940. You heard nothing which induced you to think you would get that?—I am not obliged to tell that.
941. Did the out-voters vote at the other election when you voted?—I know nothing about them.
942. Do not you remember at all the year when you voted in the former election, or who were the candidates?—No; I do not.
943. Was it when Colonel Anson, Mr. Rumbold, Mr. Mitchell, and Mr. Stracey were the candidates?—No; I do not recollect any thing about it.
944. Was it when Colonel Anson, Mr. Rumbold, Mr. Preston and Mr. Campbell were candidates?—No; I do not recollect any thing about that.
945. Was it when Mr. Anson, Mr. Rumbold, Mr. Colville and Mr. Bliss were candidates?—No; I do not recollect any thing about it.
946. Was it when the three were candidates without Mr. Bliss?—I do not recollect.
947. Do you know when you took out your freedom?—No; I do not know when I took that out.
948. How long have you been of age?—About nine years.

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949. Did you take your freedom as soon as you were 21?—I do not know.

950. Do you recollect paying the admission fee?—No.

951. Do you recollect whether you paid it yourself, or whether it was paid for you?—No.

952. Do you recollect receiving any money before this?—No.

953. Do you recollect voting at any election before?—No; I do not.

954. Did you not say that you always voted for Blue candidates at former elections?—My father voted for them.

955. Did you not say that you yourself had voted for the Blue candidates?—I may have voted for them.

956. Have you or have you not voted for them before?—I do not know rightly; I believe that I have.

957. You talked of having a bottle of wine with Mr. Praed; was Mr. Praed in the room when you had this?—Yes.

958. Were there many people there?—Yes.

959. Did he sit down at the table with them?—No, he stood up; I sat down.

960. How long did this drinking go on?—Not long with me, for I did not stop long.

961. Had you two bottles of wine?—Yes, and I believe more.

962. Were you there an hour?—I did not note the time particularly.

963. Were you an hour?—Perhaps an hour.

964. You stated that you had always, previous to the last election, voted for the Blue party, and you were asked whether you had received the two guineas as was the practice?—It might be, but I do not recollect that.

965. Did you vote the first or second day of the last election?—The second day.

966. Was any liquor given out on the first day?—I dare say there might be.

967. Were there any tickets given out?—No, I never received one.

968. Were there any open houses?—I was told there was.

969. Where did you breakfast on the day you polled?—At my own expense.

970. And the day before?—Yes.

971. Did you not hear that there was a public breakfast?—Yes.

972. But you did not partake of it?—No.

973. What sort of a breakfast do they give?—Not being there, I do not know.

974. You said that something happened that you were sorry for, what was it?—That was because I voted for that party, that was the meaning of my saying so.

975. And you regret it now very much that you voted for that party?—I do.

976. Did any gentleman of the Blue committee canvass you?—Mr. Rumbold spoke to me, but I did not give him a decided answer; I said I would give his party a preference, that was all I said.

977. If he would offer you 10*l.*, you would vote for Mr. Rumbold?—I am not compelled to tell whether I would take it or not.

978. Are you a member of the union?—No, I belong to no union, I am a union by myself.

979. Did you have any drink at the Rose?—No, I had nothing to do with the Rose.

980. Is the Rose a Red house or a Blue house?—I believe it is both Red and Blue, for I see a general sort.

981. When were you first examined before you came up here? when were any questions put to you before you came into this room upon this subject before you left Yarmouth? when did any legal gentleman ask you any questions?—I came of my own accord.

982. Did nobody ask you any questions there?—No.

983. You were never examined before you came here?—Examine, I do not know what it means.

984. Did any gentleman call upon you before you left Yarmouth, and ask you any questions about this inquiry which is going on?—I called upon them.

985. Did you answer any questions that were put to you then?—I am sure I cannot say.

986. Who sent you up from Yarmouth?—I came up myself.

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987. Did nobody send you? did nobody ask you to come up here to London upon this business?—I certainly came up after the business of course.

988. Did nobody ask you to come?—No, nobody asked me to come.

989. Then you have come of your own accord?—Yes.

990. And at your own expense?—That I am not compelled to tell.

991. Who paid your coach-fare?—I do not know.

992. Did you pay it?—No, I did not.

993. Where are you living?—At different parts of the town.

994. Did you tell anybody that you were coming?—No, I did not tell any one.

995. Did you find by good luck that your place was paid for by the coach?—I do not know who paid it.

996. You found that there was a place for you in the coach that would cost you nothing?—I did not care about that; I did not pay for it.

997. Nobody asked you questions before you came into this room?—No.

998. And you gave no statement before you came into this room?—Not to any one in London, I have not.

999. Did you, in the country at Yarmouth, tell your story to anybody?—I do not know; I cannot say what I told now, for I forget.

1000. Did you not tell somebody in Yarmouth that you should be able to give evidence before this Committee that might be useful?—Yes, I told several people.

1001. Did they not ask you what those points were that might be useful to Mr. Ashurst in this inquiry?—That I do not know.

Richard Burman, called in; and Examined.

Richard Burman.

1002. WHAT are you?—A boot and shoe maker.

1003. In Yarmouth?—In Yarmouth.

1004. Do you recollect being told by a voter that the vote money was paying at Green's at any time?—I recollect being told that, but I do not recollect the day.

1005. Did you in consequence of that go with any person to Green's house?—Yes.

1006. What was your object in going with that person?—I had a little business to transact at the house at the time.

1007. Do you mean by the voter, a second voter, or was it the same person that told you that the money was paying, that you went with?—It was the same man.

1008. For what purpose did you go with the voter to Green's?—To inquire whether certain individuals had been paid, because I had small bills owing from them.

1009. Paid what?—The money.

1010. What money?—The two guineas, as I understood was paying.

1011. Did you go with that voter?—Yes.

1912. Did you go in with that voter?—Yes.

1013. Did he and you understand from each other the purpose for which you were going?—He went for the purpose of taking the two guineas.

1014. Did he say that before he went?—Yes.

1015. Did you go to the house with him?—Yes.

1016. Did he receive the money?—Yes.

1017. Will you state what passed at the house when he went in?—In the first entering of the door I saw Mr. Green in the passage, and seeing Mr. Green I saw him with money in his hand; I held out my hand in a jocular manner.

1018. What did the man do who got the money, will you state that first?—Mr. Green tendered him a 5 *l.* note after he got to the bar of the house; and he said, you will give me 3 *l.* 18 *s.*; and he gave him the change, and we drank a little ale together, and then left the house.

1019. Did you see him put the name down?—No.

1020. What did this man say, did he say any thing to Green when he got there?—Nothing of any consequence; there might be a word or two drop, but I did not take particular notice.

1021. Was it immediately upon his presenting himself to Green that the two guineas

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guineas were handed to him?—Nearly so; after a second or two, or a minute or two.

1022. In that minute or two had any thing passed from the man to Green in words?—No, nothing; but as he entered the door, he asked how he did, and such like; he did not come to the man directly to pay him the money, but within a very short space of time, perhaps a minute or more; I did not take particular notice.

1023. Did you see Green pay any other?—I saw him pay a woman who entered the door, and brought a note, saying she was a housekeeper of some person who was a voter; I did not see any money paid into that person's hands?—I did not particularly notice.

1024. Did she turn away as though she had received the object for which she applied?—Yes.

1025. And do you believe from what then passed that she got the two guineas?—Yes.

1026. Then you saw this man with whom you went get this two guineas; did you see the two guineas afterwards?—He had had his two guineas before that.

1027. Did you hear the note, which the woman brought, read?—I did not particularly notice; I did not go with the intention of being a spy; I did not notice every thing, but the note was read, and the person who was paying the money appeared rather to doubt it.

1028. Was it read aloud?—No, I cannot say to the contents of that note.

1029. How came you to know that she was a housekeeper of a voter?—I heard her say that she was housekeeper of some person, but of whom I did not notice.

1030. What did she say afterwards?—He paid her the money.

1031. Did she say any thing?—She said a few words, but what I cannot say; but she was not in there more than two or three minutes altogether.

1032. Do you know the substance of what she said?—Merely that she had come as housekeeper of a certain individual for the money for that purpose, and she presented the note.

1033. Did she specify what money?—I do not know that I heard her say the words; I did not particularly notice, but the person that was with me said that that was all right.

1034. To whom did he say that?—The person that was paying the money did not appear to know the name of the individual or the person from whom the note came.

1035. Did you see the money paid?—I did not see the money; I saw them engaged with each other.

1036. With reference to the person with whom you went, you saw him receive the two guineas?—Yes.

1037. Did he afterwards pay any portion of his debt to you?—He had not change enough in his pocket, and I lent him half a sovereign.

1038. Was he paid two guineas?—He returned 3*l.* 18*s.* silver.

1039. Was he paid in a 5*l.* note?—Yes.

1040. You lent him money for the change?—Yes.

1041. You would have no objection to mention the name, if the Committee would desire it?—Not at all.

1042. For whom did you vote at the last election?—Anson and Rumbold.

1043. Are you a freeman?—Yes.

1044. Are you a 10*l.* householder?—Yes.

1045. You are both a freeman and a householder?—Yes.

1046. What passed when you held out your hand to Green?—When I entered the door, I held out my hand in a jocular manner, but did not say any thing; then Mr. Green hesitated for a moment, and said, you are the wrong colour, and passed it off with a laugh; I know Mr. Green very well.

1047. You held out your hand for the money?—Yes, I held out my hand in a jocular manner for the money, knowing that I should not get any.

1048. Did it appear to you that he had money in his hand?—Yes, I saw it.

1049. Was he paying money?—No, he was standing in the passage at the time.

1050. What is the name of that voter?—William Howard Smith.

1051. What is he?—Book-keeper.

1052. Where does he live?—At Yarmouth.

1053. In

1053. In a house of his own, or one that he rents?—Yes, one that he rents.

1054. Do you know the value of that house?—He rents the house himself.

1055. Do you know what rent he pays for that house?—I have heard him say it is 7*l.* 10*s.* or thereabouts.

1056. He is not a 10*l.* householder, is he?—No.

1057. These payments were made very openly?—It appeared to me not to be private.

1058. Had you ever voted Blue before?—I always voted Blue.

1059. Did you vote in the election of 1831; Anson and Rumbold, and Colville and Bliss?—Yes.

1060. Did you ever hear of any vote-money being given away at that time, after the election?—I have heard of vote-money being given.

1061. Did you receive any yourself?—I have received it in elections past, but not in the last two elections, since I have been in better circumstances.

1062. Do you think you might have had it in the election of 1832, if you had been so disposed?—I do not know.

1063. You have heard of nobody that voted Blue that received the two guineas?—No.

1064. In the election of 1832, did any body receive it?—I cannot call to mind at present.

1065. Do you believe that either the Blues or Reds paid any money in 1832?—I cannot call to mind.

1066. Did you vote on the first or second day of the last election?—The second day.

1067. Did you receive any tickets for refreshment?—Nothing.

1068. Or during the canvass?—No.

1069. You had nothing whatever from the candidates?—No, nothing.

1070. Were you offered any thing?—No.

1071. It is not usual to offer persons of respectable circumstances, is it?—No.

1072. Were several names mentioned to Green, as to whether those persons had received the money, and did you afterwards go to those voters?—Yes.

1073. Were those small sums that you wanted, in the way of your trade?—Yes, sums that were pending for several years, that I thought it a good opportunity of getting paid.

1074. And those persons admitted they had received the two guineas?—I did not ask them whether they had received it; my brother-in-law inquired of Mr. Green whether they were paid; I heard him state that they were.

1075. The voters themselves did not admit that they had received the vote-money?—One of them; I had been down to his father's after a small bill; and he felt himself rather angry; he said, "I have only just received the money;" that was the same day.

1076. Did you apply to others on the same day?—Yes.

1077. Did you say any thing to them; "Come, I know you are in cash?"—I dare say they were aware that I knew.

1078. Did they pay you?—I received money of three.

1079. What is the name of this man, who admitted he had received money?—He did not say where he had received it; he said, that he had only just received it.

1080. Did he say what he had received, or for what?—No; I did not ask him that question; all that I had to do was to get payment of a bill.

1081. What is his name?—His name is Crickmagh.

1082. Where does he live?—In Yarmouth.

1083. In what street?—He lived at his father's, on the Fens; the house is not numbered.

1084. Is he a freeman?—Yes.

1085. None of those other persons admitted to you that they had received money?—I did not say any thing about it to them.

1086. And you have given evidence against them because Mr. Green told you that A. B. C. and D. had received the money?—Yes.

1087. Had you recently applied to those persons and been refused?—Many a time.

1088. Recently before this?—Not very recently; I thought it would have been to no purpose if I had.

1089. From the circumstances of their being poor?—Yes.

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1090. On this particular day they all paid their bills?—Yes, three did, from my applying that day; I received of one the next morning.

1091. What was the amount of that bill?—Small bills.

1092. How much?—One was 5*s.*

1093. What were the others?—A few shillings each.

1094. Under 7*s.*?—Yes.

1095. Under 5*s.*?—Yes, under 5*s.*, others were.

1096. Was it half-a-crown, or 2*s.*, or 1*s.* 6*d.*?—I cannot say, unless I had the books here.

1097. You say one person was angry; what was his expression?—He spoke rather sharply; he did not like my going after him; he said in an angry tone, "I have only just received the money; you could not have had it before."

1098. That is the man whose name you mentioned?—Yes.

1099. Had you any doubt, when he said that, as to what money he meant?—Not at all.

1100. With regard to this payment of the two guineas, did you consider it as compensation for loss of time to those people, or a bribe?—I did not think any thing about it; it did not enter my mind; I did not take any notice of it; I do not know what I thought at the time.

1101. At how many elections have you received vote-money?—I do not know, I am sure.

1102. How long have you been an elector of Great Yarmouth; do you remember when you were admitted an elector?—About 11 years.

1103. Did you receive it at every election, except the two last, since you have been admitted an elector?—I have received it; but at different times.

1104. But you have received it more than once, several times?—Perhaps I may.

Mercurii, 29° die Julii, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON, IN THE CHAIR.

Samuel John Carr, called in; and Examined.

Samuel J. Carr.

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1105. WHAT are you?—A cordwainer.

1106. Are you a voter for Yarmouth?—Yes.

1107. Did you vote at the last election?—Yes.

1108. For whom did you vote?—For Baring and Praed.

1109. You voted Red at the last election?—Yes.

1110. Did you go to Green's after the election?—No.

1111. Have you ever had any vote-money paid to you?—Yes, two guineas.

1112. Will you state how you got that money and from whom?—I took it for a kinsman as well as myself; he was at sea.

1113. Where did you go to get the vote-money?—I went to Mr. Green's to get the vote-money.

1114. Did you, in consequence of something which you heard, go to Green's?—Yes, about an hour and a half after, when it was nearly dark.

1115. When you did go to Green's, what did you do?—There were a couple of lads upon the stairs, one above the other, and they asked my name, and I told my name.

1116. What was done then?—One lad was as high nearly as he could stand, and he took the money and gave it to the lad lower down, and then I took it of him.

1117. One lad that stood the highest of the two, handed the money down to the other, and that lad gave it to you?—Yes.

1118. Did you get your kinsman's money at the same time?—No; I forgot myself and went back and got it; in a very few minutes after, I went back to get the money, because his wife was in the family-way, and could not get it.

1119. When you got back, whom did you see then?—There were not above four or five people there; I saw the same lads again.

1120. Did you say anything about your kinsman to anybody?—No; I dropped a note and gave it to the lad, and that was how I got the money.

1121. What

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1121. What did that note contain; did you write it?—Yes; "Please deliver to bearer two guineas of Samuel Carr."

1122. Was that all that the note contained?—Yes; I am sure of it, because I wrote it myself as well as I could.

1123. Did the Committee understand you rightly, when they understood you to say that you wrote that note?—Yes.

1124. Did you sign it with your own name?—I did not put my name to it at all.

1125. Whom did you give that note to?—To one of the lads that was on the stairs, and he handed it up to the highest lad.

1126. Did that note, being so handed up, bring down two guineas to you?—Yes; they brought the two guineas, the same as I received mine.

1127. What did you do with that two guineas?—I gave it to the poor woman directly when I took it, and she was very thankful.

1128. Where you ever called up at four o'clock in the morning about the election?—No, never.

1129. Have you stated all that you have received in drink or anything else connected with the election?—Yes, except a little allowance at the public-house; instead of drinking it at the public-house I have taken it home.

1130. Where was that little allowance?—At the Two Brewers.

1131. What was it?—Rum.

1132. How much?—That I cannot say exactly.

1133. Nearly how much?—I suppose about three pints at various times.

1134. How much money?—I never took any money.

1135. Never had any thing but the two guineas?—No.

1136. Nothing else?—No.

1137. You are sure that you have now told all that you know?—Yes, to the best of my knowledge I have.

1138. Those lads whom you saw, did you know who they were?—No; it was so dark that I could not see anybody; quite twilight.

1139. And you did not know who they were?—No, and I did not stop one single minute when I had the money.

1140. What age were those lads?—I cannot tell; it appeared to me that they were eight or ten years old; they were very small; I did not see them very well.

1141. How long have you been a freeman?—Ever since the year 1802.

1142. Have you always voted Red?—No.

1143. Did you vote Blue in 1826?—Yes.

1144. Was there money distributed after the election then?—No.

1145. Was there any vote-money in 1830, Anson and Rumbold, and Campbell and Preston?—There was one election we have not been paid for loss of time, and that is two years ago.

1146. Did you not always vote Blue to the last election?—Yes, I always voted Blue till this last election, but I may vote which way I like; I am quite an independent man, there is not more so in England.

1147. What reason had you for changing?—I had no reason, but being an independent man.

1148. You changed your politics?—Yes, I found more friends last time.

1149. You found it more to your interest to vote last time for the Reds?—Yes.

1150. Had you ever heard that the vote-money was not likely to be given in the Blue interest the last time?—No.

1151. Did any body tell you that any thing was to be given on the Red side?—I never heard a word about it.

1152. But you, working for yourself, thought you would oblige your customers more by voting for the Red than you would by voting for the Blue?—Yes; I have found the gentlemen behave well on both sides; I have had orders on that side more than the other.

1153. Had any of your customers on the Red side told you that if you did not vote for the Red they would take away their custom?—No, never.

1154. Did any of the Blue tell you?—No; I never earned 5 *s.* from the Blue party in my life; if I asked for a job I was sure to go without. I have earned a few shillings from Mr. Johnson a Blue voter.

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1155. Did he threaten to take his work away from you if you did not vote as he wished?—No.

1156. You say this rum was about three pints you think?—It may be less, I cannot say, because I had half a pint at a time, and sometimes a pint and a quarter.

1157. Did you take a ticket?—No, I had not a single ticket.

1158. Did you ever get any tickets?—I got two tickets.

1159. How came they to give you the rum without a ticket?—Because they had known me for so many years.

1160. Did you pay for it yourself?—No, I did not.

1161. Was it an open house?—Yes.

1162. Might any freeman have rum?—Yes, me and my wife being lame and blind, I had it.

1163. It was in consideration of your family circumstances?—Yes.

1164. What was the name of your kinsman?—Samuel Carr, shipwright; he served his time at Squire Barth's.

1165. Did you ever vote except in 1832, without getting your two guineas?—There never was only one election that we were disappointed of it; it was for lost time.

1166. You say that there is lost time, which requires you should have some remuneration, how much time do you lose?—We are unsettled for four days.

1167. Could you not vote without losing so much time as four days?—Yes, we could, but we like a frolic sometimes.

1168. And there is the time lost in processions?—Yes.

1169. You were not disappointed of the two guineas, did you ever get any thing else besides the two guineas?—No, except in chairing we get a few shillings in that way.

1170. How much?—A pound.

1171. Did you always get your rum?—No, never before in my life; my wife had not been up for seven weeks, and we were lame and blind I assure you.

Matthias Harding, called in; and Examined.

Matthias Harding.

1172. ARE you a rope-maker at Yarmouth?—Yes.

1173. Do you remember going with Staunton, at any time, a voter of Yarmouth, to Green's?—No.

1174. Do you recollect being at Green's at any time?—Not along with Staunton.

1175. With any one else?—I did go in with two men, and buy a glass of rum.

The Chairman informed the Witness that he was not obliged to answer any question that criminated himself.

1176. Are you willing to speak the truth?—Yes.

1177. And all that you know?—To the best of my knowledge.

1178. Is what you have said before on this subject true?—I should expect that it is true.

1179. Did you go to Green's at any time, when there were many voters there?—I went with two men, and had a glass of rum.

1180. Who were those two men?—Those two men were Coates and Middleton. I hardly know them myself.

1181. Did you hear, then, any thing about the vote-money?—No, I did not hear any thing about it.

1182. Did any of the men show you any money that they had got?—Not then, not in the house; I did not stop there so long as five minutes, I should suppose.

1183. State what you did see in reference to vote-money, either in the house or out; what do you know about it?—I know very little about that business, at all; I did not see any money paid.

1184. Did you see any of the men with money, and did they show it to you, and tell you what they had received?—I did not see him at Green's; but I saw him come out of Green's—Staunton I mean.

1185. What did he say, when he came out of Green's?—I was coming to the northward, and he was going to southward; and he called to me, and asked me

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me if I had got the election-money, and I told him no, and was not likely to get any; he said I have, and here it is.

1186. And you saw him come out of Green's?—Yes, he was going southward of Green's, a little way.

1187. What did you mean by saying that you were not likely to get it?—Because I did not expect to get it; I got nothing for the last, and was not likely to get any thing for this.

1188. Did you vote Blue, then?—Yes.

1189. That was Staunton, was it?—Yes.

1190. You voted Blue this time?—Yes.

1191. You were not in Green's with this man Staunton?—No.

1192. You did not see Green pay any money to him?—No, nor any other man.

1193. All that you know is, that he had some money in his hand, which he stated was vote-money?—Yes.

1194. Did you see him come out of Green's?—Yes.

1195. Did he show you the money?—Yes; but he was on one side of the street and I on the other; and I do not know how much he had.

1196. Did he say that he had had it at Green's?—No.

1197. He did not tell you where he had got it?—Yes, he said it was election money.

1198. Have you any doubt where he got the money?—I know nothing about that.

1199. Did you lose sight of him from the time when he came out of Green's to the time when he showed you the money?—No, of course not, because we passed each other; it was near dark when he spoke to me.

1200. He said, have you got your election-money?—Yes, and I said no; and I was not likely to get it.

1201. And he said he had, and showed it you?—He put his hand out in this way, and said, here it is; but what money it was I do not know.

1202. Have you always voted Blue?—No.

1203. Sometimes Red and sometimes Blue?—I voted Red once.

1204. Did you ever get any vote-money?—Yes.

1205. Has it ever been refused on former elections?—I got none for the last two elections.

1206. But always before?—Yes.

1207. On both sides?—I always got it. I know nothing of others, I only know for myself.

1208. How often have you voted at elections?—Since 1818.

1209. How often have you voted Red, and how many times Blue?—Once Red; I do not know how many times I have voted Blue.

1210. When did you vote Red?—Upon the first election, 1818.

1211 Have you generally voted Blue since then?—Yes.

1212. The election in 1818 was for Lacon and Loftus?—Yes.

1213. You call yourself a liberal in politics?—I do not know what I call myself.

1214. You are in favour of annual Parliaments?—I am in favour of any thing liberal.

1215. You would like annual Parliaments if the fee was paid every year?—Any thing would be better than this system.

1216. What system?—I should like annual Parliaments, if we had an election every year.

1217. Had you any drink on the election day?—I do not know whether I had.

1218. Were there any tickets given?—No.

1219. Did you vote the first, or second day of polling?—The second day.

1220. Did they give you your breakfast?—I believe not; I might have had it along with the rest, I suppose, if I had liked.

1221. Were the tickets given to you during the election at all?—No.

1222. And no entertainment given at any public-houses?—Oh! yes.

1223. When were those entertainments given?—They were given at breakfast; at least we had so much a day.

1224. How much a day had you?—Five shillings.

1225. For more than one day?—Five shillings a day; it lasted only one day.

 1226. Had

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1226. Had you any thing on the nomination-day?—No; I do not recollect having any thing on the nomination-day.

1227. Had you no supper?—I forget.

1228. At the time those processions were going on, had you any thing then?—I am sure I forget.

1229. Are you a 10*l.* householder; how much is the rent of your house?—Five pounds.

Robert Staunton, called in; and Examined.

Robert Staunton.

1230. WHAT are you?—A journeyman rope-maker.

1231. Did you receive the two guineas; the vote-money at Green's?—I do not know whether it was vote-money or not; I received two guineas at Green's.

1232. What do you believe it was for?—I cannot say I am sure, without it is for loss of time.

1233. You say that you received the two guineas at Green's house; do you know who paid you the two guineas?—I cannot say.

1234. Was it a boy?—I cannot say, for I was rather in a hurry when I went in, and my name was called, and I put my hand in and received it.

1235. Was it done clandestinely or openly?—Openly.

1236. Were other parties present at the time?—It was in the passage.

1237. Were there other people in the passage at the time?—Yes; there were some.

1238. How many were there?—I cannot say.

1239. Was it a narrow passage?—Yes.

1240. Did it seem full?—No; it was not so very full.

1241. Did you see any others hold out their hands and receive money?—Yes; who they were I was not able to say.

1242. Have you always voted Blue?—Yes.

1243. Was there ever any vote-money given before in Yarmouth?—Yes; I had received two guineas before this.

1244. Was there any drink given?—I do not know; I had very little.

1245. Had you any tickets?—Yes, two.

1246. What were they worth?—Half-a-crown.

1247. Did you have them out in drink?—Yes; one in drink, and the other in money; the one in drink was at the White Bear; I drunk six pennyworth, and took the rest home.

1248. Is the White Bear in Yarmouth?—Yes.

1249. Were those tickets given before the election, or after the election?—After the election.

1250. How came you to go to Green's?—I was ordered to go there; I was not in my place where I was at work at that time.

1251. Who ordered you?—It was left word by the people that I worked with that I was to go there.

1252. Who left word?—That I cannot say.

1253. But word was left at the place where you worked?—Yes.

1254. Where is it?—Mr. Cannel's.

1255. What are you?—I am a rope-maker by trade, but I follow the fishing concern.

1256. Are there many freemen in your yard?—There was one besides myself.

1257. Had you been at Green's before?—No; not during that election.

1258. What is the sign of Green's public-house?—I think it is the King's Head; I do not often visit the house, and therefore do not notice the sign.

1259. You say that you had two tickets given you of half-a-crown each, you drank 6*d.* and took the rest to your family; you took your money for the other ticket, why did you take that?—Because I thought that I wanted the money more than the drink.

1260. You did not spend the money elsewhere?—No; I gave it to my family.

1261. Have you a large family?—I have three children.

1262. Had you changed your politics as you have changed since in voting from Red to Blue; you changed your judgment as to who was the fittest man?—No; I do not know.

1263. Who

1263. Who was your employer?—Mr. Cannel.

1264. Which side did he vote in the last election?—None at all.

1265. Was he interested in the election?—Not to my knowledge.

1266. He did not canvass you on either side?—No.

1267. Who canvassed you?—I am sure I cannot say.

1268. Had you heard if you voted for the Red party that you would be paid the two guineas?—No.

1269. Had you not heard that before the election?—No.

1270. Had you heard that the Blues would not pay the two guineas?—No.

1271. Can you read?—I can read my own name and that is all I can do.

1272. Had you seen a bill with the two guineas at the top?—No.

1273. Had you heard, in any quarter, that the Blues would not pay the vote-money?—No I had not.

1274. From whose hands did you receive this money of the Blues?—I cannot say, it was put into my hand when I held my hand out.

1275. Was it dark?—No, when my name was called.

1276. Who called it?—That I cannot say.

1277. Was it a man or a woman?—It was a man's voice without a doubt, I should think.

1278. You saw the person, whether it was a man or woman?—I cannot say any further than a man.

1279. Was it a hand came out of a cupboard, or a voice, or how was it paid?—It was put into my hand by a person; who it was I cannot say.

1280. Were you coming forward when your name was called?—I was coming forward.

1281. What did you do?—I held up my hand, for I being a low person to some that were there, and received it and walked out directly.

1282. Was the room quite full of people?—Not so very full.

1283. Was it in a passage?—Yes.

1284. Was that person who gave the money on the same elevation as yourself, or mounted up on some place?—I cannot say.

1285. All that you can tell is that you heard some person call out Robert Staunton, you went forward and put forward your hand and somebody put in two guineas?—Yes.

1286. You cannot say whether it was a man or woman?—No, I thought it was a man's voice.

1287. Did you hear that same voice call out any other name?—No.

1288. Did you before hear it call out any other name?—No; I was just entering the passage, and my name was called out.

1289. Had you been waiting in the tap-room at the time?—Not a minute.

1290. As you state that the very moment you got up there you heard your name called out, had any body told you in any other part of the house that you were wanted that moment?—No.

1291. You say that there were persons there who knew you, or are you well known?—I make no doubt that I was known.

1292. Did Matthias Harding go with you to Green's?—No.

1293. Had you any talk with him?—When I came out.

1294. What did you say?—I mentioned to him about the two guineas.

1295. What did he say?—He asked me whether I had the money, and I told him yes; and I asked him when he would get his, and he said he did not know whether he should get his; he was on one side of the street and I on the other.

1296. That was near Green's?—Yes.

1297. Did you begin in the conversation with him?—I believe I did.

1298. You bragged that you had got the two guineas, and that he would not get any thing?—I told him that I had received the two guineas.

1299. It was said in Yarmouth that the Blues would not give any vote-money, was it not?—I do not know I am sure.

1300. When did this happen?—I cannot say what time it was.

1301. Some time after the election?—Not any great while.

1302. It was not before the election?—No.

1303. Did any body say any thing to you before the election that the vote-money would be paid as usual?—No.

1304. Nothing about it?—No.

1305. Had

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1305. Had you any doubt when you voted that you should get the two guineas?—I did not think any thing of it.

1306. You voted Blue before that?—Yes.

1307. Was there any thing paid then?—No.

1308. Do you mean to say, that you should not have been very much surprized, if you had not been paid up to this time?—I do not know as to that; I never received any thing when I voted Blue.

1309. Do not you think that it is very cruel of the Blues to refuse the two guineas?—No.

1310. Is it not considered a hard case?—No.

1311. Is there no grumbling about it?—I wished to be paid it; I always thought it a legal thing.

1312. You thought it was paid for loss of time?—Yes.

1313. How much wages do you get a week?—I get 15*s.* a week.

1314. Do you believe that the Red party paid any thing in 1832?—I cannot say.

1315. You never heard that they had paid any thing?—No.

1316. You said that you got 15*s.* a week; do you not often get more?—Yes, my employers agree with me for nightwork.

1317. At fishing?—I see after the fishing concern.

1318. How far do you reside from the polling place?—At Mr. Kemp's buildings; I suppose it would be about half-a-mile.

1319. What is the utmost you have ever received in one week for wages?—Twenty-four shillings.

1320. Did any body get more than two guineas?—Not that I know of.

1321. They were all paid alike?—To the best of my knowledge.

1322. Are you a householder in Yarmouth?—No.

1323. You do not rent a house of your own?—No.

1324. You lodge?—I lodge.

1325. Do you lodge with a relation?—Only with my own family.

William Collins, called in; and Examined.

Wm Collins.

1326. WHAT are you by trade?—Twine spinner.

1327. Did you vote at the last election for Yarmouth?—Yes.

1328. Who canvassed you?—Mr. Praed.

1329. Did you promise to vote for the Reds?—Yes.

1330. Why?—On account when it was not in my power to take my freedom up they took it up for me.

1331. Before the election, did any other gentleman call upon you in canvassing?—No; only Anson and Rumbold.

1332. Did you go to any of the Red houses to drink?—Yes.

1333. Did you get any tickets?—Yes.

1334. How many before the election?—Three.

1335. How many during the election?—I cannot tell.

1336. How many do you think?—About three or four.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

1337. Have you any objection to tell the whole truth?—I will tell the truth in what I speak.

1338. Had you any tickets after the election?—Yes.

1339. How many?—I cannot tell exactly; two or three.

1340. Then altogether how many do you think you had before, during and after the election?—I should think about six.

1341. Where did you get your first tickets?—At the Waggon and Horses.

1342. What is the name of the landord of that house?—Mr. Emms.

1343. What did you do with those tickets; did you drink them out or get money for them?—I drunk them out.

1344. Where did you get the tickets during the election?—At a house against the new street; I cannot call it by name.

1345. Did you know the name of the landlord?—There was no landlord.

1346. A private house?—Yes.

1347. How

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1347. How long before the election had you your first tickets?—I am sure I cannot tell.

1348. How long do you think?—I am sure I cannot tell when it was.

1349. State as nearly as you can; was it a week or a month?—I should think it must be a month.

1350. Was it after the canvassing had begun?—Yes.

1351. You got the tickets during the election at the committee-room; was that you word?—I cannot say whether it was a committee-room.

1352. Had you ever heard either of the members address the people from that house?—Yes, I had heard the members there.

1353. Did you hear the members at the same house that you got the tickets from?—Not in the same room.

1354. But from the same house; did they speak from the window of that house?—I took the tickets in an apartment in the same house.

1355. Who gave you those tickets?—I cannot tell.

1356. How did you get them; how were you led to get those tickets?—I went in for them, and they were given me.

1357. Whom did you go to to get them?—I went to those rooms.

1358. When you got into those rooms, what did you say?—I did not say any thing; they asked me if I had polled; I told them yes.

1359. What did you receive?—Two tickets.

1360. How much?—To the amount of 7*s.* 6*d.* afterwards that I changed them.

1361. Did you exchange those tickets?—Yes.

1362. With whom?—I cannot tell.

1363. Where did you go to exchange them?—I do not recollect the sign of the house.

1364. At a public-house?—Yes.

1365. Do you know the name of the landlord, if you cannot tell the name of the sign?—No.

1366. Whom did you present the tickets to there?—A man that sat there.

1367. What did you say when you gave him those?—I merely hurled them down on the table, and he changed them for me.

1368. What did he give you?—Seven shillings and sixpence; 5*s.* for one, and half-a-crown for the other.

1369. Where did you go to after the election for your tickets; you said you had some tickets after the election?—This was after I had polled; I had none afterwards.

1370. Did you not also say that you received some tickets during the election?—Yes; those were during the election.

1371. Those were the tickets you referred to?—After I had polled.

1372. Then those tickets and the tickets you had received before that time, were the only sets of tickets you have received?—Yes.

1373. You mean by those tickets you are now speaking of, those given during the election, and the others you referred to as after the election?—No, before.

1374. How many times did you receive tickets altogether?—Twice; I had received half-crown tickets three times before the election.

1375. On three separate nights?—Yes, and two afterwards; after that I had polled on the first election day.

1376. And those are the two you have been speaking of as having changed them into 7*s.* 6*d.*?—Yes.

1377. Did you receive any thing after the election before Green's matter, besides those tickets; did you go to Green's?—Yes.

1378. What did you go there for?—For money for labour or loss of time, I do not know which it was.

1379. What induced you to go there?—Because I heard that they were paying of us money for loss of time.

1380. Whom did you hear that from?—I cannot tell; from Mr. Score's, I suppose.

1381. Did you hear that they were paying the Blue voters?—I believe they paid them the day after the election, from what I understood.

1382. What did you understand by the expression, "they were paying of us;"

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us;" whom were they paying?—I heard from one or two that knew me that they were paying the election money.

1383. Did you go in consequence?—Yes.

1384. Did you receive your money?—Not that night.

1385. Where did you go?—I went to Mr. Green's.

1386. How long were you there that night?—Not many minutes.

1387. Why did you leave without your money that night?—Because they had done paying for that night.

1388. How do you know that they had done paying?—I understood that from people that were at the door.

1389. Were there many at the door?—Yes, several there were; I cannot tell the number.

1390. What did they say?—They told me that they had done paying for to-night.

1391. Did you go into the house that night?—No.

1392. When did you go again?—The next day morning.

1393. Whom did you see then?—I saw many people drinking in the house.

1394. Did you stay any time then?—Yes.

1395. What was doing while you were staying there?—I cannot tell exactly, for I staid there and was drinking, and I cannot exactly state what was done, or what passed.

1396. State how you got your money; did you go?—Yes.

1397. Did you take something to drink?—Yes.

1398. How was it you were led from your seat, where you were drinking, to get the two guineas?—I never got the two guineas of Mr. Green.

1399. Where did you get it; state all the circumstances to this Committee; where did you get the two guineas?—Am I compelled to answer that question.

Chairman.] The Committee is of opinion that you ought to answer that question.

1400. Did you not get your two guineas at a house first of all. Did you get the two guineas?—Yes.

1401. Can you state where?—Yes.

1402. Where?—I got it at the Two Brewers.

1403. How did you get it there?—I was paid it.

1404. When you were at Green's, did you go out with any other persons from there to this public house, where you got the two guineas?—Yes.

1405. Had something passed at Green's which led you to know that the person who afterwards paid you at the public house had got some money for you at Green's?—Yes.

1406. Did you and two other men go from Green's into this public house, where you got the two guineas?—Yes; but we did not both get there with him.

1407. Did you learn at Green's that you were to meet that man there?—I went, and so did the other one; but he did not go to the house with me.

1408. Did you and one other man go to that public house, and did the third man come to you in consequence of something that passed at Green's?—Not at the time that I was there he did not.

1409. The question refers to the public house where you received the money; when you were at that public house, did a man pay you two guineas?—Yes.

1410. What was the name of that man?—Am I compelled to answer that question?

1411. You are?—Mr. Savage paid me, who keeps the house.

1412. Was Savage the man who was with you at Green's?—Yes.

1413. Did you learn at Green's that Savage had got money for you?—Yes.

1414. Did you afterwards go to Savage's house, to get that money which had been spoken of at Green's?—Yes.

1415. Did Savage give you the money then?—Yes.

1416. Was the money he gave you, the money which it had been arranged at Green's you should receive?—Yes.

1417. Did Savage take money for you, and another person as well as himself?—Yes.

1418. What was the reason stated, why Savage should take your money and the other man's?—To make a convenience to Mr. Green, on account of not having change.

1419. Was

1419. Was there a 5*l.* note in the matter?—I cannot say what he paid him.

1420. How do you know that it was to make it convenient to Green?—Because he asked me and Mr. Johnson, that I was with, whether it was agreeable that he should take our money.

1421. Who asked that?—Mr. Green.

1422. You said yes?—Yes.

1423. And afterwards you went to Savage's house, and Savage paid you?—Yes.

1424. Had you received any thing else during the election, besides the tickets and the voting-money; had you received any more money from any body connected with that election?—Yes; I had taken part of it, but I had not received it.

1425. What part had you taken, and from whom?—I can tell, the gentleman is in this room.

1426. State all about what it is?—I was in the Waggon and Horses, with two others; and Mr. Barth and Mr. Anson came and solicited me for my vote, and I told them that I should not give them; that I should not promise my vote on account of the election before, because I was not of age, I could not register; and Mr. Porter gave me a recommendation to be chairman for the Blues; and I was recommended for it, and Mr. Jeffries was the man that should have paid me; he employed me; and afterwards he told me that I was not entitled to the sovereign, on account of Mr. Porter not being a free burgess; he was a 10*l.* voter. I told him that I thought it was very hard he did not tell me this before he employed me, as I could have got employment then, but he did not pay me; and when they came to solicit me for my vote, I told him that I should not give it, and he came continually to me, and I went into the Waggon and Horses, and Mr. Barth and Mr. Anson were there, and they solicited me many times for my vote; but I told them that I should not promise them on that account. Mr. Barth threw down half-a-crown; we took it up, and divided it and spent it amongst us three, that is all. I do not know whether that is termed bribery or not.

1427. Have not you received more money than that vote-money from the lads and the tickets?—No.

1428. That you are sure of?—Yes.

1429. Was that all which you were referring to when you commenced answering your last question?—I did not know whether it was bribery or not.

1430. Have you not received more than the half-crown you spoke of as being thrown down by Mr. Barth, the vote-money, and the tickets?—Not for myself.

1431. What is it you are referring to?—I had my name set down as chairman before the election, at least I had a man set down for me to carry the chair.

1432. What was that to give you?—Nothing;—I had taken a sovereign for the man that I had set down for me.

1433. Is that all?—Yes.

1434. This sovereign, and the vote-money, and the ticket, and the money from Mr. Barth, was that all you received?—Yes.

1435. What did you do with that sovereign?—We drank it amongst us.

1436. Who is the other man?—Robert Dyble.

1437. Is he the other chairman?—That was the man that I nominated.

1438. Is he a voter?—No.

1439. What was the reason for nominating him, was it because he was not a voter?—Yes.

1440. Whom did you apply to to put his name down?—I cannot tell, for I applied to the clerk that was doing that business.

1441. Where?—At the room that I went to for my money for the tickets.

1442. Where you had heard the candidates?—Yes; I had heard them.

1443. Do not you know the name of that man?—No, I do not.

1444. Do not you know who acted as clerk at the committee-room for the Reds?—No.

1445. Do you know where he lives?—No.

1446. Do you know the man when you see him?—I do not think I should.

1447. Have you seen him since that period?—Not to my knowledge.

 1448. What

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1448. What passed when you asked to put the name down?—I knew it was not legal to put me down, and I told him to put Robert Dyble as chairman.

1449. Did he do that?—Yes.

1450. And was that reason stated at the time?—No; he merely put it down; I never heard any more of it before or since.

1451. Who went to receive the guinea?—I did.

1452. Though Dyble's name was entered?—Yes.

1453. Where did you receive that?—At Mr. Green's.

1454. How came you to go to Green's to receive money for an arrangement made with the secretary of the committee-room; how could Green know that you and the secretary had agreed that Dyble should be your nominee?—Dyble's name was in the book.

1455. If Dyble's name was in the book, how did Green know that Dyble was your man?—He was not my man, otherwise than I did it as a kindness to that man to get him employment.

1456. How did you make Green understand when you went to him, that you were the person to receive that money?—He paid it for Dyble.

1457. What did you say to Green?—I never spoke a word.

1458. Then Green, without any knowledge, as far as you know, that Dyble was your nominee, paid you the guinea for that man?—He looked and found that Dyble's name was there, and paid me.

1459. Have you a brother?—Yes; I have three brothers.

1460. Why did he pay you in preference to anybody else what appeared to be Dyble's money; how did he know that you were to receive it?—He asked me who was my substitute, and I told him.

1461. When you told him that Dyble was your substitute, he gave you another guinea?—Only one sovereign.

1462. This was before the vote-money?—Yes.

1463. When you told him that Dyble was your substitute, he gave you the sovereign?—Yes.

1464. Who acted as chairman, you or Dyble?—I cannot say whether he did or not; I cannot say whether he stuck to his duty; I did not.

1465. Do you know how many chairmen they had?—No, I had enough of it when I was chairman for Mr. Anson, for I had done a deal of work and got no pay for it.

1466. How many were you then?—I cannot say.

1467. Were all the others left unpaid?—No, there were many put down that they wronged of it afterwards.

1468. Some got paid and some not?—Some got paid, I should have got paid if I had known that I must have been set down by a freeman, for I served my time in a ground were there were plenty of freemen, but I was brought up alongside Mr. Porter, and he asked me, "William, have you nothing to do with voting?" I said no, and he gave me a recommendation as chairman, and I said I can be a substitute for a freeman; but he said they must take half the money, and he gave me a recommendation to Mr. Jeffries, and when I went to him he said that was his mistake.

1469. Is that a common thing to be substitute for the chairman in Yarmouth?—Yes.

1470. Have there been many instances?—It has been in those two elections, I do not know how many others.

1471. In 1832 you were appointed by Mr. Porter to be his deputy as chairman?—He gave me a recommendation to Mr. Jeffries, and Mr. Jeffries said that is all right and gave me the half-a-crown tickets as well as others, but when they were paying the chairmen he would not pay me.

1472. Who paid them?—Mr. Jeffries.

1473. He has acted, for whom?—I cannot say who he has acted for.

1474. Was he acting for the Blues at that time?—Yes.

1475. He refused to pay you because you had not been nominated by a freeman?—Yes.

1476. Mr. Jeffries acted for the Blues in this election; who acted for the Reds in the last election?—I do not know.

1477. More than Mr. Green paying the money?—No.

1478. If this payment of money to chairmen in 1835, was bribery on the

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part of the Reds, it must have been equally bribery on the part of the Blues in 1832?—Yes.

1479. Had Mr. Porter a vote?—Yes, but he was a 10*l.* voter, I understood afterwards; when I went down for my money, I told Mr. Jeffries that I had a right to a sovereign, however he said no, and he told the constable to put me out for I was a saucy fellow.

1480. Who took out your freedom?—I had an order to go down to the town clerk's office and they took it for me.

1481. Who gave you the order?—Mr. Thomas Garwood.

1482. Is he a Blue or Red?—I cannot say.

1483. In what line of business is he?—Clerk to Mr. Palmer, either in partnership or clerk.

1484. Which election did you give your first vote?—This last one, I was not registered for the one before.

1485. When was it that you went to the Town-hall and had your freedom taken up?—It was on the last registering day, the last day that they registered.

1486. Before the last election?—Yes.

1487. What is the name of the public-house where you received this money?—The Two Brewers.

1488. What sort of a house is that, is it a large house?—No, a small house, a tap-room in a cellar against Mr. Lacon's brewhouse.

1489. What is the rent of that house?—I do not know.

1490. Are there entertaining rooms above the cellar?—Yes.

1491. Is it a tap-room and brewhouse?—Only a tap.

1492. You said that the Red party took up your freedom, do you know what they paid?—I do not know whether they were Red or Blue, I went to the town-clerk's office, I had an order to go from Mr. Thomas Garwood.

1493. Did you get anything else when you took up your freedom, were you paid for your trouble in going to the office?—No.

1494. Had you any drink, was there any party?—There were several of us that had taken our freedom up that had drink, but it was at our own expense.

1495. In the election of 1832 you said that it was proposed to you to be chairman, and you replied that you could be substitute for a freeman, and the answer that was made to that was, in that case you would get half the money?—Yes, because they claim half.

1496. Have you understood that it was a general practice observed by the Blue party as well as by the other, that those who acted as substitutes for the freemen only got half the money?—The freemen and the substitutes went together, and they had the money, and I believe they divided it.

1497. You say you got a number of tickets paid to you at the time that you went and received that half-a-crown; were those tickets the same in character and number as those that the voters got?—I went to Mr. Porter, and he asked me if I could vote this time, and I told him "No," on account of not being registered; and he said, "I will give you a recommendation for being a chairman," and I thanked him. I said I could be chairman to a freeman.

1498. Beyond that, did you not receive at that time some tickets?—Yes, on each day, the same as others did.

1499. The same as if you had been a voter?—No; the same as if I had been a substitute.

1500. There were different classes of tickets for the burgesses and the substitutes?—The burgesses had nothing to do with that; only the chairmen.

1501. Did none of the freemen act as chairmen?—No; they got a substitute.

1502. They all got a substitute?—Yes.

1503. Did they get the 5*s.* and half-a-crown, which was paid to substitutes?—When they got the money, they went together, the freeman and substitute, and divided it.

1504. What did they get?—A sovereign; and we had a half-a-crown each election day for refreshment.

1505. Dyble and you got merry with it, and settled it between you?—Yes; it was last election.

1506. What is your title to freedom?—Servitude.

1507. Who proposed to you to take up your freedom; you say you had not money yourself?—No one.

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1508. How came you to take up your freedom?—I went to Mr. Garwood; I heard that he had taken others up.

1509. Who is Mr. Garwood?—Whether he is in partnership with Mr. Palmer, I cannot say.

1510. What is Mr. Palmer?—He is a fish-merchant.

1511. And Mr. Garwood is either his partner or his clerk?—Yes.

1512. And you, having heard that Mr. Garwood had taken up the freedoms of other people, were you recommended to go to him?—He did not pay for them.

1513. Were you recommended to go to Mr. Garwood?—I was not recommended.

1514. You went of your own accord?—I heard that he had taken other people's up, and I went.

1515. Did you go alone?—I went into the house alone; but there were many others that were trying to get theirs taken up.

1516. How many?—I cannot say.

1517. Will you swear that there were not 20 people at the time?—No, I would not swear that there were no more than four; there were four taken up when I was.

1518. You are sure there were four?—Yes, there were four at the same time that I took mine up.

1519. Do you know whether Mr. Garwood is partner or clerk with Mr. Palmer?—No.

1520. After you had been to Mr. Garwood's, where did you go?—To the town-clerk's office.

1521. Did he give you a note?—No; he told me to go down, and I should be known, and mention my name; he said that it would be all right.

1522. Did you state what your name was?—Yes.

1523. Did you state that you were free by servitude?—Yes.

1524. And they said that you were entitled to it?—Yes.

1525. Did they give you any paper?—My burgess letter and my indentures; they had laid at the town-clerk's office all the time of my serving seven years.

1526. Who paid the money for taking up your freedom?—I cannot say.

1527. Did you see any money paid?—No, not a farthing.

1528. Was Mr. Garwood at the town office at this time?—No.

1529. How many were at the town-clerk's office when you got there, when you went for your freedom?—I cannot say.

1530. Were there a hundred?—No.

1531. You four went down to the town-clerk's office?—I did; there were a number of freedoms taken on that day; three took it up with me, and I cannot speak for any body else.

1532. Were there any others?—After we had taken ours up, others went in.

1533. Did you find when you got there, that others were taking up their freedom?—When we went into the town-clerk's office, we stopped till we were called for.

1534. How long did you stop?—It might be five or ten minutes, or a quarter of an hour.

1535. Some freemen came out, and then you went in?—No, I did not see any come out.

1536. You were not admitted immediately, but waited some time?—Yes.

1537. When was this?—I cannot tell.

1538. Was it the last day of the registration?—Yes.

1539. Did you pay for the burgess letter?—No.

1540. Who did?—I cannot say, and I sent down to the town-clerk's office to have it taken it up; I was informed that it came to 1*l.* 16*s.* 6*d.*

1541. Had Mr. Garwood voted Red and Blue?—I cannot tell.

1542. You did not know at that time who paid for it?—No.

1543. Have you ever learnt since?—No.

1544. How do you know that it was 1*l.* 16*s.* 6*d.*?—That is what I have heard that others have paid.

1545. But you paid nothing?—No.

1546. Did you see the other men that went with you get their burgess letters?—No, I cannot say that I saw them, for after I got mine I came out, and they followed me; I believe that they did do it, though I did not see it.

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1547. Is Mr. Thomas Bly Garwood the person you are talking about, the merchant?—I do not know whether his name is Bly or not.

1548. Is he a merchant?—Yes, a fish merchant.

1549. Is his name Thomas?—Yes.

1550. What was the name of that man that went up to the public-house and received the two guineas?—Mr. Johnson.

1551. What is his christian name?—William.

1552. You said that you believe you were paid for loss of time for this two guineas; what wages were you receiving then per week?—Ours is all piece work.

1553. What do you generally earn?—I cannot tell; according as what work we have.

1554. Do you get as much as a guinea?—At times; and at times perhaps not so much as a shilling; when the weather prevents our working, I have never any thing particular to do.

1555. Did you not think two guineas was very good payment for a couple of days' work?—I thought it very good pay; we made pretty free with it afterwards.

1556. How far did you live from the polling place?—I suppose it may be half a mile, or three quarters of a mile.

1557. What is William Johnson's employment?—A twine-spinner.

1558. Do you work in company?—Yes; I was in work for him at that time; he is a small master.

1559. How many men did he employ?—I was the only man that he employed; just for a job or two, spinning a skein or any thing; for I had nothing of consequence to do at the time.

1560. Are you in constant employment now?—I am doing for myself now; when I get an order I complete it as far as my judgment will allow.

1561. Do you know a good many voters at Yarmouth?—Yes.

1562. Have you heard of any of them since the election who have not received the two guineas?—I believe that the Blues have not received it.

1563. Have you heard of any Reds that have not received it?—I cannot say; no, I do not know that ever I did.

1564. Would they not have complained very much if they had not?—I have heard many say that they have received it, but I do not know that ever I heard any say that they had not received it.

Mr. *Samuel Robinson*, called in; and Examined.

Mr. S. Robinson.

1565. ARE you a shopkeeper in Yarmouth?—I am.

1566. Do you command a view from your shop of Green's premises?—Diagonally I do, across the street.

1567. As you sit in your shop, and when you are at your desk, do you see Green's premises?—I can by slightly turning my head.

1568. Do you recollect about the 27th or 28th of April last any circumstances connected with Green's?—I cannot speak to the date.

1569. Was that about the time?—I judge that it was.

1570. Had you heard about that time any reports in the town about the payment of vote-money?—I saw a considerable number of persons collected in the front and round Green's house; and from the common conversation in the shop and in the neighbourhood, I was given to understand that they were paying money on account of the election.

1571. What is the sign of Green's house?—The King's Head.

1572. In what street in Yarmouth is it?—In King-street.

1573. Did any of those men come down to your shop that you so saw assemble round Green's; will you state what you saw, and what happened in your shop on the days that you so saw those men assemble round Green's house?—During those days several of those men came across to my shop for change of sovereigns; it was a mutual accommodation, for I take a considerable quantity of copper, and I made a condition with them that they should take 5*s.* worth of copper, and 15*s.* worth of silver; and in that way I changed a considerable number of sovereigns.

1574. How many do you think you changed in all?—I cannot speak accurately

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rately to the number; I can speak with certainty of 20 or 30, it might be more.

1575. How long did this application for change continue, from persons so circumstanced?—During two days I think, and part of another day, but I would not speak positively to that.

1576. During those days you did see those men assemble at Green's, and you changed those sovereigns?—Yes; part of them myself, and part of them persons in my shop.

1577. Did you see those men come direct from Green's, or did any thing pass by which you were led to know where those sovereigns came from?—No; I had no eye to any thing of this kind, therefore I did not make any particular inquiries; I do not doubt but that I may have heard something of the kind, but it may have escaped my recollection.

1578. Have you a good notion yourself?—Yes; I have no doubt about it.

1579. What led you to believe that those men came from Green's to your shop to get change?—Because I saw some of them coming and some of them returning; I do not say that I noticed them all coming and returning.

1580. But did you see some go and return to Green's?—Yes.

1581. And that continued for two days, or two days and a half?—Two days certainly; but I rather think there was part of another day, but I would not speak positively to that.

1582. Did you see the same men, from the same source, going into your neighbours to get change?—No, I did not observe that.

1583. Do you know any of the persons who so came; do you know whether they were voters?—Some of them that came I knew at the time were Yarmouth voters, but I cannot charge my memory with their names at this great distance of time.

1584. What are your political principles?—I have generally voted with the Blue interest from a persuasion that I did right; I have had an opportunity of voting for the borough of Yarmouth only since the passing of the Reform Act.

1585. Have you a society in Yarmouth called the Purity of Election?—I heard that there is one.

1586. You are not a member of that?—No.

1587. Do you know that the persons who were engaged as colour-men were paid at Green's?—No, I have not entered into the election.

1588. How many do you think were assembled at any one time round Mr. Green's house?—I should think 50, varying from 50 to a smaller number.

1589. Did that go on during the whole of the two days?—Oh! no, they fluctuated; in fact there was a reason why they should fluctuate, for there was some rain fell at the time, and the men were of course incommoded by it, and some of them took shelter in a neighbouring public-house, and some took shelter under a projection that runs over my house.

1590. The rain scattered almost all inquisitive persons?—No, there were more stood there than would be on ordinary occasions.

1591. Were they the same men?—I do not know.

1592. You do not know who they were?—No; I have stated that I could not name any of them.

1593. What class of persons were those that came to your shop for change, were they men in good circumstances?—No, principally common working men.

1594. Is it usual for them to go over constantly to your shop to get change?—I feel a pleasure as well as an accommodation to myself, in giving change under those circumstances. Copper is rather a burden to us in the retail trade, and hence I furnish myself with silver; when I am deficient in that article, in order that I may accommodate my neighbours at all times.

1595. Do many persons come to your shop for change in that class of society?—Yes.

1596. Had you been in the habit of supplying Mr. Green with change?—Not for him particularly; if Mr. Green had sent across a note I should give him change.

1597. Why did those persons come to you?—They learnt that from each other; I suppose where one had taken change.

1598. But

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1598. But you had no understanding with Mr. Green that you would give change to those persons?—No.

1599. But you are in the habit of giving change at all times?—Oh, yes, sometimes with copper, and sometimes without.

1600. Do the ship-builders ever send to you to ask you for change to pay wages on Saturday nights?—No, my house is situated a considerable distance from the ship works.

1601. Had you nearly 25 or 30 persons coming for change on that day?—No.

1602. You think you gave change for 20 sovereigns on those days?—I think I said from 20 to 30.

1603. How long have you lived at your house?—Better than 30 years.

1604. How long has Green occupied his premises?—But a few years.

1605. Since he has occupied it, has his house been a house that has been open at election times?—I think I remember it before this, it has been resorted to by persons.

1606. It had a red flag; it was in the interest of the Red party?—Yes, so I have understood it.

1607. Do you remember the circumstance of there being a red flag?—I will not say positively a red flag, but a flag indicative of attachment to what they call the Red party.

1608. Do you recollect any crowds of this sort, at any former election, round the King's Head?—Not on any former election so great.

1609. Were those persons in the Red interest that came to you for change?—That I cannot speak to.

1610. But you knew them to be freemen?—Yes.

1611. What is your line of business?—Grocer and chandler.

1612. Comparing the last election with the preceding elections, would you, as an old inhabitant of Yarmouth, think that drunkenness was more prevalent than on former occasions?—It is too prevalent on elections generally.

1613. You cannot draw any distinction?—No, I do not know that I can; it is generally a drunken time.

1614. How long does the drunken time last?—It has lasted some weeks; there is more drinking then, I believe, from report, and the appearance of persons in the streets, than at other times.

1615. Could you walk the streets on that day without seeing a considerable number of drunken persons?—Unfortunately we could seldom do that at any time.

1616. Was there no increase?—Yes, there was an increase during the election.

1617. You never assisted in any of the committees for any of the interests?—Very slightly indeed on a former election, but not at all on this, for the bustle of an election I am not very fond of; I did not suppose myself capable of affording much valuable assistance to the committee, and therefore I declined.

1618. Do you know of any money being paid as vote money at former elections?—I have not seen any.

1619. Do you believe none was paid?—I believe it was some years ago, before the passing of the Reform Bill.

1620. Neither party refused it?—I suppose not.

1621. Has any party refused it since?—I have understood that it has been refused since by the party for whom I vote, and I am not aware of a single case in which it has been paid by that party.

1622. Have you heard any freeman complain of its not being paid?—Yes, some of them.

1623. Do you recollect any words that were used?—No.

1624. Was it the habit of the losing candidate to pay as well as the winner?—I have understood so.

1625. You said that there was a great increase of drunkenness before and during the last election?—It has been a common thing at elections generally.

1626. Did you not say that at this last election there was during the canvass before the election a great increase of drunkenness?—Compared with the time previous to the election, between the elections, not as compared with other elections.

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1627. Was there an increase compared with the election in 1832?—It is difficult to determine a question of that kind, I cannot do it.

1628. It was an increase during the election compared with other times which were not election times?—Yes, as soon as the election comes on the men assemble in the public houses, and I suppose discuss politics and drink ale, and so on.

1629. Did you ever see any of the processions take place?—Yes.

1630. Are they continued till late at night?—Sometimes they are.

1631. Have you ever felt it a cause of annoyance or heard it complained of as a nuisance?—Sometimes I have had a window or two broken.

1632. But there is no general complaint of its being a nuisance?—It has been usual for the party to complain, not of their own processions, but of the processions of the opposite candidates.

1633. People discussing elections over a glass of grog during the election?—Yes.

1634. Do you know Samuel Maddison?—I do.

1635. Was he one of the persons that came to you?—I do not recollect.

1636. Was William Hall jun. one of the persons that came to you?—I do not know.

1637. Do you know Samuel John Carr, was he one of the persons that came to you?—I know Carr, whom I saw passing into the Committee room this morning; I do not remember whether he came to me.

1638. Was Robert Staunton one of the persons that came to you?—I have no recollection of any particular person.

1639. Do you know William Johnson?—I do know persons of that name in Yarmouth.

1640. You do not know whether he was one of the persons?—I do not.

1641. You say you changed between 20 and 30 sovereigns on that day?—On those two days.

1642. And some of the persons who came to you were freemen?—Yes.

1643. Do you know how many of those were freemen?—I cannot tell.

1644. You cannot tell whether Mr. Maddison, or William Hall, jun. or Collins, or Samuel Carr were among the persons that came to you?—I do not recollect.

1645. Have you any recollection of any candidate coming forward during the time you have been in Yarmouth without treating in any way?—I believe as far as my knowledge goes, not till this last election.

1646. Do you mean to say that there was no drink given away in either of the last elections?—I really cannot say, for I did not partake of it, and whether they paid for it themselves I do not know.

1647. You entertain your political principles, and vote according to those without looking much to the acts of other persons?—Yes, for the last 30 years I have had a vote for the county though not for the borough, and I have exercised my judgment.

1648. You became a voter under the Reform Act as a householder?—Yes.

The Witness withdrew; the Committee Room was cleared.

After some time the parties were called in.

Samuel Arnold Smith, called in; and Examined.

S. A. Smith.

1649. WHAT are you?—A bookkeeper and accountant in Yarmouth.

1650. Were you employed by Mr. Green of Yarmouth?—Yes.

1651. How long ago?—Between three and four months since.

1652. For what purpose were you employed?—To make out an account for him.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

1653. Did Green put before you any book or document for the purpose of making out a list of the voters?—No, he did not put one before me; I had a book in which the account was to be entered, and Mr. Green had another small memorandum book, and he called over the names from the book that he had, and I put them into the book that I had, and there was a poll-book there at the time.

1654. State

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1654. State from the beginning what led to your being engaged by Green, and how you came to go there?—I met Mr. Green one Friday evening, and he said, "Mr. Smith, if you come down to my house, I want you to do an account for me;" and I said, "Very well, Mr. Green," and I went down.

1655. What day was it?—Some day in April, I think; but I do not know what day.

1656. Was it some time after the last election?—It was the same time that the election was going on in Devonshire for Lord John Russell.

1657. That was the 6th of May?—It was in May then; it was in May or the latter part of April.

1658. What passed between you and Green, what were you to do?—To make out this account, to write down the names and the sums of money against them.

1659. The Committee know nothing of this matter, will you state all that you did when you got to Green's; what sort of account was it that you were to prepare, and what did it refer to, and when you produced the account what was it?—It was merely so-and-so, name and trade, and a sum of money against it; and it was cast up at the end.

1660. What was the sum of money against each name?—Two guineas; not against every name, some were only one guinea, a few.

1661. Did any thing pass relative to those who had one guinea only set against their names, did you know why one guinea was put instead of two?—Of course I knew the reason of that.

1662. What was the reason?—Because they voted half-and-half.

1663. What materials were before you to enable you to make out the account?—Nothing but the book that I was writing in, and Mr. Green's memorandum-book and the poll-book.

1664. There was a poll-book, and Green's memorandum-book, and the book in which you copied?—Yes.

1665. How did you get the name of any person which you were to enter upon any account?—By Mr. Green's calling of it.

1666. He called over?—Yes.

1667. From what?—From his memorandum-book and out of the poll-book together.

1668. Green looked at his memorandum-book and poll-book and gave you the names that you were to write down?—Yes.

1669. And you wrote in that book the sums that he told you?—Yes.

1670. Did Green say that the sums he had written down were sums he had paid to those men?—He might say it, but I have it not in my recollection.

1671. Did you understand what those sums were fixed against the several names for?—Because he had paid them, I suppose; or they would not have been put there.

1672. Was there any heading to this account?—No.

1673. Nobody debtor or creditor?—No.

1674. Was there any indorsement at the back of your book?—No; it was arranged in three classes; there were freemen; then there was Yarmouth 10*l.* voters, and Gorlestone 10*l.* voters, arranged in three classes, each class cast up by itself, and the total taken at the finish.

1675. Is Gorlestone on the south side of the river?—The west side.

1676. Is it an addition under the Reform Bill?—Yes.

1677. What was the gross amount of the two guineas, as nearly as you can remember?—About 1,200*l.*

1678. Did that include the whole of Gorlestone, as well as of Yarmouth?—Yes.

1679. What did the Yarmouth freemen amount to?—The Gorlestone freemen and all were blended with them; when I say that that was headed Gorlestone, I mean only 10*l.* voters.

1680. How much were the freemen?—Somewhat over 900*l.*

1681. And the remainder were to 10*l.* householders?—Yes.

1682. How long were you engaged with this account with Green?—Perhaps about seven or eight hours; it might be longer.

1683. Was that during three or four days, or in one day?—It was one evening, and part of the next day; the freemen, and then after that the account for the 10*l.* voters, was not entered till a week after.

1684. Whilst you were there did any men apply to Green for payment?—

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There were two or three men came in at the time that I was there, and they did not say any thing to Mr. Green; he gave them some money.

1685. Do you know what money he gave them?—I did not notice it.

1686. What did you believe it to be?—I believed it to be two guineas, of course.

1687. Why of course?—Because I was perfectly well aware what they came there for.

1688. How were you aware of it?—From the notoriety of the thing; there was no one deceived about that.

1689. For what purpose did you make out the account?—That I cannot say.

1690. Did you not understand that there was a purpose for which it was made out?—I did not understand that, I supposed there was; what Mr. Green was going to do with this account when I made it out, I cannot say of course.

1691. What do you believe it was for?—That there might be an account made of the monies that Green had paid away.

1692. Did you make it out in a book?—Yes; in a shilling memorandum book.

1693. That a person might carry in his pocket?—Yes.

1694. For whom do you believe that account was made out?—I cannot say for whom it was made out.

1695. Whom do you believe it was made out for?—I cannot say.

1696. Have you not expressed a belief upon that subject?—I can say nothing more than what Mr. Green told me.

1697. What did Green tell you?—He told me that he was going to give that account to Mr. John Lacon.

1698. In your communication with Mr. Green, were you asked to make out a cash account; was the object of his making out this account in any way to account for the application of a certain sum of money which he had received?—I should suppose it was; he did not tell me.

1699. You were not called upon to make an entry of a certain sum of money received, and then to show on the other side how it had been disposed of?—No, it was not made in that form.

1700. Was there an entry of cash received?—Yes.

1701. How much was that?—Twelve hundred pounds.

1702. Then the account exactly balanced?—No, it was not exactly 1,200*l.*, on the other side there was a little balance, I do not know what.

1703. Were you present at any time when the postman brought letters to Green with money?—No.

1704. Did you, at any time, see the cover of a letter connected with money, did you ever learn from Mr. Green how he had got the money?—Mr. Green showed me a blank envelope, with a direction on it, directed "Mr. William Green," and he said that was the way in which he had received the money, done up in this blank envelope.

1705. With no direction upon it?—Yes, there was a direction upon it.

1706. How was it directed?—Mr. William Green, Chapel-street, Yarmouth, Ropemaker, or something of that kind.

1707. Did it bear a post-mark?—Yes.

1708. Do you recollect the amount of the postage?—It was something like 6*s.* or 8*s.*, I think; I know it was a large amount of postage.

1709. Were you at any time asked by any of the Gorlestone voters to draw up a petition?—No.

1710. Do you recollect, during the time that you were making this account up, any observations by Green, as to any persons who had applied for the money, whom he said it was shameful in them to apply to him for it, and that he had refused them?—Yes; I think there was some one came in that asked for the money, and Mr. Green said he thought it was rather too bad; a person of his respectability applying for that.

1711. Did you hear the name of that person?—No, I cannot say that I did.

1712. Did not Mr. Green say that that same person had been some where else, and had obtained the money?—No.

1713. That he had blowed somebody up, you did not hear that?—No.

1714. Is that you hand-writing?—[*A paper being shown to the Witness*)—Yes.

1715. Does

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1715-6. Does that present any thing like the account that you made out, or the form of it?—That is something of the form of it; it was merely the name, trade and a sum of money against it, cast up at each column, and carried over.

1717. And there was no heading?—No heading whatever.

1718. Was the book that you entered the account in a blank book when you entered into it?—Yes.

1719. In making out the account, had you a register before you?—No, a poll-book.

1720. Was this in April or May?—Either in April or May.

1721-2. You stated that you understood Green was going to give the account to Mr. John Lacon, is that the banker?—I do not know which Mr. John Lacon he meant. Mr. Green said that Mr. John Lacon was to have the account, and I do not know which he meant.

1723. Are there more John Lacon's than one?—Yes, there are two Mr. John Lacon's.

1724. What are they?—Bankers.

1725. Both?—They may be partners in the concern,

1726. Did you understand when he said Mr. John Lacon, one of those two?—I suppose he did.

1727. Do you remember the time of the registration?—Yes.

1728. Were you with Green at that time, when the registration was going on in your town last year?—I might be, I have not any particular recollection of it.

1729. Were you at Green's when the freemen came to be paid this money?—No; in fact they had been paid when I went.

1730, Do you remember whether the amount paid to the Gorlestone or Yarmouth freemen was nearer 1,000*l.* than 900*l.*?—It was 900*l.*, whether it was nearer to 900*l.* than 1,000*l.*, I cannot say.

1731. Do you recollect the amount of the adding up of the Gorlestone 10*l.* householders?—I should say between 50*l.* and 60*l.*

1732. What was it for Yarmouth householders?—About 180*l.* or 190*l.*

1733-4. You believe that was about the amount?—Yes.

1735. Was there any thing more than two guineas opposite the names of those Gorlestone householders?—No.

1736. Opposite to the name of any freeman was there?—I do not think there was.

1737. Did you arrange any account for drink with Mr. Green?—No.

1738. Had you any other of the election accounts through your hands?—No.

1739. Are you a freeman?—Yes.

1740. Which side did you vote?—Tory side; the first time I voted, I voted Whig; I have always voted Tory ever since.

1741. Was there any vote money paid in 1830?—Yes.

1742. By both parties?—Yes.

1743. Was there in 1832, the first election after the Reform Bill?—Not that I know of.

1744. Did the Blues pay any thing?—Not that I know of.

1745. Or the Reds?—Not that I know.

1746. Do you know whether the Blues had paid any after the election?—I have no knowledge on the subject.

1747. Did you vote yourself at this last election?—No.

1748. When the account was made up, did it exhibit any small balance?—There was a small balance, but I cannot recollect on which side it was.

1749. Do you recollect seeing any money in his hands belonging to the account that you were called upon to arrange?—No, I do not recollect seeing any.

1750. He did not produce any money?—No.

1751. Were there any sums written down to parties who had not yet applied, but who would apply?—Yes, there were some few.

1752 Those were all past into the account only marked as such?—Yes.

1753. You were not asked to audit the accounts but to make them out?—That is all.

1754. Do you know the writing upon the envelope of that letter?—No, in fact I did not take much notice of it. Mr. Green shewed it to me.

1755. You did not see the money paid?—No.

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1756. The whole of this is a declaration of Mr. Green to discharge himself from the liability to any persons who might have placed money in his hands?—Yes, of course.

1757. Did you say that in the course of your being employed for those seven or eight hours by Mr. Green, he stated from whom he had received the money?—No.

1758. Did he say that he was going to give the account to Mr. John Lacon?—It was dropped in conversation after they were made out, that this book was to be given to Mr. John Lacon, but whether Mr. John Lacon had any thing to do with it I do not know, or whether he did give it to Mr. John Lacon I cannot say.

1759. There was nothing to lead you to think that Mr. John Lacon was engaged in this or had supplied any part of the money?—No, nothing.

1760. Were there any names in this list that you were surprised had taken the money?—Yes, there were.

1761. Did you see any names of men that were well to do?—Yes.

1762. Were they in several lines of business?—Yes; several I should say were.

1763. Did you ever hear of any of those individuals presenting those sums of money to any charities in Yarmouth?—No.

1764. Charity began at home with them?—Yes.

1765. Did you agree with Mr. Green in his remark, "This is too bad"?—I thought so at the time, that it was too bad.

1766. Of those freemen who voted for Baring and Praed, are you aware that only four of them split with Anson or Rumbold, and only four gave single votes?—I should say there were not more certainly, eight or ten.

1767. If such appears upon the face of the poll-book, you would think it was true?—Certainly that is correct; I should say that that is about the number.

1768. Do you recollect in the list you made out with Mr. Green, that the whole of those names were included?—There were three or four, but whether more, I did not take particular account.

1769. Then you cannot say whether Mr. Green settled with the whole of those parties?—I cannot say whether he did, but I should suppose that he did; but whether all took it I cannot say.

1770. Was any thing said in your hearing by any of the agents of the Blues, that they would not pay the two guineas at the last election?—Yes.

1771. Were you at the meeting when Mr. Shelley said that no money would be paid?—I heard Mr. Shelley say so two or three times during the last election.

1772. Did you ever hear any of the Reds say that it would not be paid?—I have talked with many of the Red voters during the election, and I do not think that any of them hoped that it would be paid.

1773. Did you take up your freedom at your own expense, or was it paid by any candidates?—It was paid by Anson and Rumbold.

1774. You voted for them the first time you tendered your vote?—Yes.

1775. Do you think there was more drunkenness at the last election than at former elections?—No; I should say there was less.

1776. Was money scarce?—I suppose so; drink was scarce.

1777. Was there less in the last election than in 1832?—I should say, in my opinion, there was, and certainly less than in 1830.

1778. Did they open houses before?—Yes.

1779. Have there been any lately?—Not that I know of.

1780. But before, any freemen might have what they liked?—I suppose they might.

1781. But latterly it has been by tickets?—I have heard so.

1782. The Blues stated before the election that they would give nothing?—Not that I know of; I never heard it stated.

1783. Did you hear it stated before the last election?—Yes; I heard it stated.

1784. You received something for your first vote?—Yes, two guineas; Mr. Shelley paid me.

1785. You think there are some men who will not ask for the two guineas, both householders and freemen?—Yes.

1786. If there are 500 and odd householders voted for Baring and Praed, they

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they cannot all have been paid?—Yes; I should say 450 and 100 of the 10*l.* householders had been paid; that would be 550 in round numbers.

1787. How many 10*l.* householders have been paid?—One hundred.

1788. And 153 voted?—More than that voted; there were 153 Yarmouth householders and 43 Gorlestone householders voted for Baring and Praed.

1789. What induced you to desert your party?—That is at the time that the Reform Bill was in agitation, and my opinion is that they were cutting down all the lower class from having a vote.

1790. And that was a feeling pretty general among the freemen?—Yes, that they wished to cut them off.

1791. And perhaps if Mr. Anson never voted against the disfranchisement of the Liverpool freemen, they might feel that a little?—I have heard that mentioned in Yarmouth; they said that if he voted against the Liverpool freemen he might serve them the same when an opportunity occurred.

1792. Are you not aware that during the last session of Parliament that party expressed a strong opinion that *per fas et ne fas* it was right to destroy the freemen.

1793. That notion had got among the Yarmouth freemen had it?—Yes.

1794. And you think that might influence the votes of a good many?—Yes, I should think probably it did.

1795. And you are aware that that opinion has been carried still further during the present session?—I should say it has.

1796. And if the number of freemen fall off at the next election, it is not all to be attributed to bribery?—Certainly not.

1797. If 89 householders change sides, is that, in your opinion the cause of their change?—I cannot say, I give my opinion upon it.

1798. Do you mean to say that it would be the same feeling that would actuate 89 householders to change sides?—No, I do not know that it was; they might have a sort of feeling in their own bosoms.

1799. Are you a 10*l.* householder?—Yes.

1800. Perhaps you did not think it a good thing that the 10*l.* householders should have votes given them?—Yes, I thought that a good thing; but I did not think that others should lose it.

1801. Do not you think that annual Parliaments would be a good thing?—No.

1802. How often would you have them?—In three years.

1803. Are not a great majority of freemen in favour of annual Parliaments?—I do not think so.

1804. Not even if they are paid?—If they are paid, they might be.

1805. The Members would not like annual Parliaments?—I do not think that they would.

Edward Boyce, called in; and Examined.

Edward Boyce.

1806. ARE you a caulker in Yarmouth?—Yes.

1807. And a voter?—Yes.

1808. Do you recollect standing at the election booth, in the election ground, on the first day of the election?—Yes.

1809. Are you a Blue or a Red?—I voted for Anson and Rumbold at the last time.

1810. How often have you voted?—Only once.

1811. Will you state to these gentlemen what happened then, who came to you, and what passed?—On the first morning of the election, I was standing against the Red booth in the market-place; a man came out to me of the name of Smiter, who asked me whether I had voted, and I told him "No;" and he said, no more had he; and he asked me whether I would go with him. I told him yes, I would. He said there was a little money flying about; I might as well have some as any one else; and he took me towards the Red committee-room, and I was met by Captain Newson at the committee-room door, and I was taken into the Red committee-room, and it was full of people when I went in, and they were ordered out, except me and Mr. Newson and Mr. Smiter; and after a few minutes they asked Mr. Smiter whether he had voted, and he said "Yes," and I thought then that it was a take in, and I was left in the

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room with Captain Newson. At the time I was there, Mr. Green came into the room, and Mr. Preston, and asked me how I did, and went out of the room again.

1812. Who went out of the room?—Mr. Preston and Mr. Green; Mr. Green told me that I had not behaved altogether right the day before the nomination-day.

1813. Did you go out of the room with Mr. Green?—No; when they were going round in procession, I waved my hat over my head; I was left in the room then with Mr. Newson only again, and he asked me if I wanted any thing; I told him I wanted a good many things; he asked me then whether I wanted any money; I told him, "yes, that was the very thing I did want, with that I could get any thing;" then he told me only to say the figure, and I told him four or five—that was, four or five sovereigns I meant, and he said, say three, and it shall be given in a minute, and I told him no less than four would be of any service to me; he left the room then, and went up stairs into another room, and brought the money down, and showed it to me in his hand, and I told him that that was no use to me; he said, "why, that is all you asked for;" I told him, because I had it not in my possession; he looked at me several times, and then put it into my hand, and I told him that it was as safe as if it was in the bank, and we went walking towards the Red booth; when we got there, he said, "Let me settle our job," and I told him I did not think I should vote the first day; he asked me the reason; I said that I should not get any refreshment the next day, and he told me then, that if I voted for them then, he would give me another sovereign, and a 7*s.* ticket, and a half-crown one. When I got to the Red booth, I told him, if he walked a little further with me, I would see another one, who would go the same way as I had, that was, to get him past the Red booth to the Blue booth.

1814. What did your language mean?—There was no meaning in it, and when I got past the booth, I walked as far as the Blue booth, and asked him if I could not vote there; he said I could vote there, but could not vote so well as at the other one. I asked him what all the letters meant in the booth; he told me one was for one part of the country and another for another, but he could not find any place for the burgesses to vote, and I told him to come along, and it would be all right, and I went to the circle where the staffsman stood to keep the mob off. I was called into the Blue booth, and said, "This is the place for freemen to vote." Mr. Thompson called me, one of the poll-clerks, and I went in directly, and Mr. Newson stood with his back against the outside of the booth when I was there; they asked me my name and residence and trade; they then asked me whom I would vote for, and I told them Anson and Rumbold, and held the money up.

1815. What did you say when you held the money up?—I said, "Here is what I got to vote for the other party;" that was all that passed then.

1816. What did Newson do then?—He ran away then directly.

1817. Was there any word about serving them alike that passed between you?—That he would serve them all alike, if I could get any more.

1818. At the moment you received that money, did you intend to vote for the person you promised?—No, I did not.

1819. Then you obtained that money under false pretences, and now you come to ask the Committee to believe such a story as that?—I heard that there was money flying about, and I wanted to prove whether it was so.

1820. Do you hold that money in trust for the captain; do you mean to give interest?—He would not take it; he would not speak to me afterwards.

1821. Did you mention to any one before that you meant to do so?—I mentioned to Mr. Matthew Butcher, and several, that if they offered me the money, I would take it.

1822. Who canvassed you for the Blue party?—Mr. Anson and Rumbold's party.

1823. Were both those gentlemen on the canvass?—Yes, they came with a great number.

1824. Did they promise you any money?—No.

1825. Did they pay you for your vote?—No.

1826. What did you understand him to mean by that expression?—That he would give them the same money that I had.

1827. Did you get the tickets?—I had two or three tickets from him.

1828. Where?—

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1828. Where?—At the Waggon and Horses.

1829. How many did you get?—I think I got two, besides other orders that I had along with them.

1830. Orders for drink?—Yes.

1831. Did you turn those tickets into money?—They changed them themselves.

1832. How much did you get?—They held the tickets to me, and when I held out my hand for it, I asked what I was to do with it, and he put half a crown in my hand for change.

1833. Was that more than once?—Twice.

1834. You got two half crown tickets converted into cash, and drink for which you did not pay?—No, I paid for the drink out of that.

1835. Did you ever repay that money to Mr. Newson?—I do not know that ever I had it in my power.

1836. You never got any thing?—No.

1837. Was Mr. Newson on the canvass for the Red interest?—I never saw him.

1838. Who canvassed you on the Red interest?—Mr. Preston, Mr. Green and Mr. Praed.

1839. What answer did you give to them?—I told them that I did not intend to promise either party.

1840. Did you spend the money you had of Mr. Newson?—Yes.

1841. Did you spend it immediately?—No, I kept it for some time.

1842. Did you get any tickets of the Blue party?—No.

1843. Had you any refreshment?—Yes.

1844. Did you get any quantity?—Sometimes little, and sometimes none.

1845. Did they reckon upon that you would vote for them?—They did not know; I had not promised them.

1846. How long have you been a freeman?—I suppose about two years, or two years and a half.

1847. Have you voted at any former elections?—No, not except this last one.

1848. Who took out your freedom for you?—The Red party.

1849. Did they pay for it?—Yes, they did.

1850. That was since the Reform Bill?—Yes.

1851. Did you apply to them to take it out?—They offered to me to take it out.

1852. Did you promise to Mr. Newson to vote for them?—No, he asked me to go up and vote with him.

1853. If he knew that you were going to vote Blue, he would not have paid you the money?—No, I think not.

1854. He trusted to your honour?—I told him that I would go up and vote with him, and I did so.

1855. Have you seen Captain Newson since?—Yes, I asked him if he had any money for me, and he would not speak to me.

1856. Who is Captain Newson?—Captain of the Baltic, of Yarmouth.

1857. Is that one of Mr. Palmer's vessels?—No, Mr. Preston's.

1858. Did you see Mr. Newson taking an active part in the election at other times?—No, I saw him in the room once or twice.

1859. Have you ever sailed with him?—No, I never go to sea.

1860. Was he a voter in Yarmouth himself?—I do not think he was.

1861. Do you know of any other freeman that got a large sum of money?—No.

1862. Did you receive a pound from the Blue party?—I did for the colour-money.

1863. Did you carry a colour all the time?—Before the election at the processions.

1864. Did other gentlemen receive a pound for the processions?—I do not know.

1865. Was that all you got?—We received fifteen shillings more.

1866. What was that for?—The pound was in part, and fifteen shillings I received more.

1267. Did you tell them the pound was not enough?—No.

1868. That was after the election?—Yes.

1869. Are freemen employed to carry colours?—Yes, some free and some not free.

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1870. Thirty-five shillings was the common payment?—Yes, that was what they received.

1871. Did not the other men get thirty shillings too?—Yes.

1872. Some parties got money as chairmen?—They appointed men.

1873. Had you to appoint a man?—Yes.

1874. Did you get anything by it?—He gave me five shillings out of it.

1875. Whom did you appoint for?—For the Blues.

1876. Were you promised thirty-five shillings for carrying the colours before the election?—No, I did not know what I was to get.

1877. What was paid for the person whom you appointed as chairman?—Twenty-five shillings.

1878. Though there was no chairing?—No chairing.

1879. Do not you chair them sometimes during the election?—Sometimes.

1880. Were Anson and Rumbold chaired during the election?—I think they were.

1881. Was that paid for chairing them as members?—No, chairing them during the election.

1882. They carry them round every year?—No, they come round in procession the day before the election.

1883. It was for carrying them round the town the day before the election that this thirty-five shillings was given?—Yes.

1884. Do you mean to say that every Blue freeman got thirty-five shillings, whether he did duty or not?—I believe none got it who did not do duty.

1885. Who is Smiter?—A labouring man.

1886. Is he a freeman?—Yes.

1887. For whom did he vote?—He voted for the Reds.

1888. He it was that first told you that money was flying about and recommended you to get a little of it?—Yes.

1889. After that you stated your intention of getting a little of it to different people, and mentioned some names; what names were those?—Mr. Matthew Butcher was one.

1890. Who is Mr. Butcher?—A shipowner.

1891. You mentioned to Mr. Butcher that this report was made?—He was in the room at the time, in the public room, when I mentioned it the night before the election.

1892. Was it in the morning of the first day that Smiter told you this?—Yes; but it was the night before that I said I would get the money if I could.

1893. You had heard the night before that money was flying about, and mentioned it?—Yes.

1894. Who else was present?—I cannot say.

1895. Were they Blues or Reds in the room?—Some were Blues and some might be Reds.

1896. Which side is Mr. Butcher?—He is a Blue.

1897. Where was this public room?—Where we met the same as any other evening.

1898. Any other evening during the election do you mean?—The same as we might now go and spend the evening.

1899. You mean a room in a public-house?—Yes.

1900. And Mr. Butcher, a ship-owner, was there?—Yes.

1901. The following morning you went to the Red booth, and saw Smiter?—I was standing by to see who were going to vote.

1902. Did Smiter again say that money was flying about, and that you had better have a little of it; was this on the first morning of the election he said that?—Yes.

1903. You, having previously determined to get this money, went with Smiter?—Yes.

1904. Where did you go?—To the Red committee room.

1905. And you saw Green there?—Mr. Green came into the room at the time I was there, and Captain Newson went in with him and Mr. Preston.

1906. Who introduced you to Mr. Newson?—Mr. Preston.

1907. And in that committee-room to which you went you saw Green?—He came into the room when I was there.

1908. What is Captain Newson's christian name?—John Newson.

1909. Was Mr. Butcher with you?—No, I was quite alone.

1910. Did

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1910. Did you hear before the election whether there would be any vote money given?—I heard that there would not be any.

1911. Did the Blues say they would not give any?—Yes.

1912. What did the Reds say?—They said the same.

1913. How did you know this to be the Red committee-room?—Because I had seen the gentlemen go there and meet there, and heard them make speeches from the windows.

1914. It was a room from which the candidates made their speeches?—Yes.

1915. Have you since seen the committee going in and coming out of that house?—Not since.

1916. What is the christian name of this Mr. Smiter?—George.

1917. What is he by trade?—A labouring man.

1918. A caulker?—No trade at all.

1919. Did you not hear Praed and Baring speak from other places besides this committee-room as you call it?—No.

1920. Not from Mr. Green's?—No.

1921. Was it in a room of this house that Captain Newson gave you this money?—Yes.

1922. You went into the room alone?—Yes; the room was full of people, but they ordered them out.

1923. Do you think you managed them as well as any body else?—I do not know how others managed.

1924. Do you know of any that got more?—I know only Mr. Stevenson.

1925. How much did he get?—Two guineas, I believe, to vote for the Red party.

1926. What is he?—A baker.

1927. Did he vote for the Red party?—No, for the Blues.

1928. You have heard of the money flying about, and you had made up your mind to get some of it before Smiter spoke to you at the Red booth?—Yes.

1929. Did Smiter tell you that he had received any thing?—No, I do not believe that he had.

1930. You refused Captain Newson's application to vote on the first day because you did not get any drink; the second day you changed your mind when you had your pocket full of money?—I did not want to vote then.

1931. But you did vote?—Yes.

1932. Did you get that 1 *l.* which was promised, and the 7 *s.* and the 2 *s.* 6 *d.* tickets?—No.

1933. It turned out that you had deceived them?—Yes.

1934. Do you consider that he owes you for them?—No, I do not consider that.

1935. What did Mr. Butcher say, when you said that to him that you have mentioned?—He told me to get all that I could, but not to vote for the party that gave it to me.

1936. What situation in life is Mr. Butcher?—A ship agent.

1937. Is he a voter?—I do not think he is a burgess; a 10 *l.* householder.

1938. A large ship agent is he?—Yes.

1939. Did you ever see a handbill like this?—Yes, a good many.

1940. Did you ever read those words, "Freemen of Yarmouth, take their bribes, but follow the example of Mr. Boyce and Mr. Stevenson?"—Yes, I believe they were out in half an hour after.

1941. Do you know who put them out?—No; this is wrong; "the Reds gave him four guineas and promised him four more;" they never promised me four.

Samuel Stevenson, called in; and Examined.

Samuel Stevenson.

1942. WHAT are you?—A baker.

1942.* Where do you live?—At Gorlestone.

1943. Are you a voter for Yarmouth?—Yes.

1944. Whom did you vote for?—Anson and Rumbold.

1945. Do you recollect being canvassed by the Reds?—Yes.

1946. Who canvassed you?—That I cannot speak to, for I was ill at the time.

1947. How did you learn that you had been canvassed?—I was ill a-bed, and they came and told me.

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1948. Who told you?—My wife.

1949. Did you hear them there with your wife when they called?—No, nor yet see them.

1950. Who called afterwards?—Not any one, that I know of.

1951. Nobody called afterwards?—No.

1952. Did she tell you anything of a promise that had been made?—No.

1953. Did you hear anything from anybody about your brother having gone to poll for the Reds?—Yes.

1954. Who told you that?—I do not know the gentleman; I was then in bed, but they came into my bakehouse and told my wife.

1955. Did you hear it?—No.

1956. Did any body, at any time, speak to you about your vote before you voted?—Yes.

1957. Who was that?—Mr. Prentice.

1958. When was that?—That I cannot say.

1959. Was it before you polled?—Yes.

1960. What did he say?—He said he would give me four sovereigns.

1961. What did you say to that?—I said that I thought that that was not enough; if he would give me five it would do.

1962. What did he say?—He said that he could not afford more than four.

1963. Is that all that passed?— No; "then," said I, "gentlemen, that will do;" and he put his hand in his pocket, and said, "I am short of money to-night," and, said he, "I have but one sovereign; I will give you two, but I will give you one now, and send one down the next morning;" and he did so.

1964. What was that one sovereign given you for?—That was not mentioned.

1965. Did he not ask you who you were to poll for?—No.

1966. Had any thing passed about your brother's votes with him?—Yes; I said in the meantime, I have a brother freeman of Yarmouth; if you will walk down to him, he might favour you with his vote, but I do not know.

1967. Did you not know that Prentice was canvassing for the Reds?—That I cannot speak to.

1968. When you got this money from Prentice, what did you believe that the money was given to you for?—I supposed that it was given to me to vote for his party.

1969. Which was his party?—The Red party.

1970. Did you know that?—Yes, I certainly knew that.

1971. Did you get the other sovereign?—Next day morning he sent it down.

1972. Did it reach your hands?—No, my wife took it.

1973. You were promised a sovereign, and you afterwards received the sovereign?—Yes.

1974. Did you afterwards poll?—Yes.

1975. For whom did you poll?—Mr. Anson and Mr. Rumbold.

1976. But you had taken money to vote for the Reds?—Yes.

1977. What induced you, then, to poll for the Blues?—Because he deceived me.

1978. Who?—The Red party

1979. Had you any conversation with the Red party, after the time you received the two sovereigns, and before you polled?—Yes.

1980. Did you poll Blue, after having promised to poll Red?—Yes.

1981. Had you any conversation with any of the Red party, as to the reasons of your changing?—No; I went to the mayor of the town, and offered him this money, and he would not accept it.

1982. Before you polled you took the money to the mayor?—Yes; I said, this here money is given me; the Reds have deceived me, and this money is given me by the Red party; now I have brought it to you.

1983. For what reason did you take it to him?—For him to take.

1984. What did he say?—He would not have any thing to do with it, and I went to the Blues, and took the money and offered it to them.

1985. Did you state that you had been deceived, and would not have it?—Yes.

1986. Did you afterwards receive any more money from anybody?—From that same person I received 7*s.*

1987. How did you get that?—They brought me 7*s.*; I was ill at the time; I could not attend at the breakfast and supper, and some tickets, and told me, if I was

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I was not well enough to walk up to vote, they would come down in a post-chaise for me.

1988. What was that 7*s.* for?—Ticket-money.

1989. As you could not go to take the breakfast, it was brought to you?—Yes.

1990. By Mr. Prentice?—Yes.

1991. You say you were deceived by the Red party, at the time that they gave you the money for your vote, and you took it to the mayor and offered it to him?—Yes.

1992. And then you afterwards voted for the Blues, and offered it to them?—Yes.

1993. Did you ever offer it to the Red party, from whom you had received it?—No.

1994. In what way were you deceived?—They came to my baking-house a whole party of them, and saying my brothers were going for the Reds.

1995. Did you hear this yourself from them?—No.

1996. Is the mayor a Red?—A Red.

1997. Did you take the money to the mayor in his character of mayor, or to him as one of the Red party?—Yes, as mayor.

1998. Was he an active member of the Red party?—He is neither on one side nor yet the other.

1999. What is his name?—Mr. Preston; but rather more for the Red than the Blue.

2000. You knowing that he was a public officer went to him and offered it?—Yes.

2001. He would not take it?—No.

2002. How much money did you offer back to the mayor?—Two pounds seven shillings.

2003. Did you spend the remainder?—What was the remainder?

2004. Did you not get 4*l.*?—I was to have 4*l.* but he was to give me the 2*l.* the day that I voted.

2005. Have you ever asked for the 2*l.*?—No.

2006. Why did you choose the mayor to return the money to?—Because I thought that he was more partial to the Reds than to the Blues, and he was the highest man in the town.

2007. Did you ever, in fact, return this 2*l.* 7*s.*?—No; after I could not get any body to take it I kept it.

2008. You did not return it to the place from whence it came?—No, I had a great deal of trouble to get rid of it and I could not, and so I kept it.

2009. Does it stick in your conscience now?—No, I do not care about it.

2010. When Prentice talked to you about your vote, you understood that it was to be given to the Red party?—Yes.

2011. Had he long acted for them?—Yes, all the election.

2012. During the canvass before the election?—He was about canvassing.

2013. What is he by trade?—He is a house carpenter and joiner.

2014. Have you ever voted Blue?—Several times; I am a freeman at Yarmouth.

2015. Did you ever vote Red?—No, always for the Blue.

2016. Are you a householder?—Yes.

2017. A 10*l.* householder?—Yes.

2018. What do you pay for your house?—I have a house of my own.

2019. And the house is worth more than 10*l.* a year?—It is worth 300*l.*

2020. Did you vote as a freeman or as a householder?—As both, as a freeman.

2021. If it should turn out that anybody should disfranchise freemen, you would retain a vote as 10*l.* householder?—That I do not know.

2022. You occupy a 10*l.* house?—Yes.

2023. Have you entered your name both as a freeman and householder?—Yes.

2024. Did you get any money as a colourman or chairman from the Blues?—No.

2025. Did you get any tickets from them?—No.

2026. Did you get any drink without tickets?—Yes.

2027. Did you get your breakfast?—No.

2028. Did you get it all in drink?—Yes, it was an open house.

2029. Do you think you might have had any quantity you liked?—Yes.

2030. What house was it?—There were several houses.

2031. Did

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2031. Did you consider yourself at liberty to march into any public-house and call for drink?—No.

2032. Did you march into any Red house and call for drink?—No.

2033. Do you know any body that got more than 2*l.* 7*s.*?—No.

2034. Do you know Mr. Boyce?—Yes, I know him.

2035. Do you know whether he got any money?—That I do not know.

2036. You heard it talked about?—Yes, but he is a Yarmouth man and I am a Gorlestone man.

2037. Do you think any of the Gorlestone Reds got that money?—I cannot say whether they did or not.

2038. The vote-money for the Blues used to be given in former years?—Yes; we have not had any lately.

2039. Did you intend to vote for the Reds when you were promised this 4*l.*?—No, because they deceived me.

2040. If they had paid you the money did you intend to vote for them?—No.

2041. You intended to receive the money and then vote against them?—Yes; I thought if they deceived me I had a right to deceive them.

2042. But assuming that you had not been deceived, should you have voted for them then?—I do not know.

2043. If they had been true to you should you have been true to them?—I did not mean to vote for the Reds at all if they did not deceive me.

2044. You never meant to vote for the Reds?—No.

2045. Whether they had deceived you or not, you would have voted for the Blues?—Yes.

2046. But still you received the money?—Yes.

2047. Why did you receive the money?—Because they gave me money.

2048. Do you mean to say that you never intended to use it?—I do not know.

Mr. *Matthew Butcher* called in; and Examined.

Mr. *M. Butcher.*

2049. YOU are a considerable ship agent at Yarmouth?—I am.

2050. And a ship-owner also?—Yes.

2051. Will you state any thing to the Committee that you know about Boyce's previous intention; he is referred to in one of the bills?—I have very little knowledge of Boyce; I was casually going about, and met with Boyce, I believe the first day of the election, in the evening, and I asked Boyce if he was going to vote for Anson and Rumbold, and he stated that he should not deceive them, and I believe he said he should go in for them to-night, and get five sovereigns, and he should be up at the booth, and poll in the morning before I was there. Now I never saw Boyce after, and never made any answer to it, and I do not know that I have seen him since till I saw him here.

The Chairman informed the Witness that he was not bound to answer any question that might criminate himself.

2052. Did you advise Boyce to receive this money from the Reds, and vote against them?—I never advised him; I have stated what I said to him, and what he said to me.

2053. But you never said that it might be as well to see what they did give?—No.

2054. Was it on the evening of the nomination-day, or the first day of election?—I think it was the evening of the first day of election.

2055. Did you know before that from him that he intended to get money from the Reds?—I never saw him all the election before nor yet after. I understood when I went up to the booth the next morning that he had been there, and offered 4*l.* but I did not see him.

2056. He has stated that he mentioned it in a large company in which you were present; have you any recollection of that?—It was in the Red Lion; I went in between eight and nine o'clock in the evening; he was then, I believe, coming out as I was going in, and words passed. I said, "Are you going to vote for Anson and Rumbold?" and he said he should not deceive them, that he should go in for them to-night. I did not know what he meant, as it was a term I had not heard before, and he should get five sovereigns, and be up at the poll before I was there the next morning.

2057. What did you understand by his going in for them?—I did not give it a

thought what he meant. I scarcely had any thought upon it; the thing was very momentary with me.

2058. Has Boyce been a man in your employ at all; had you known him much?—I knew him.

2059. He is a caulker?—Yes.

2060. Has he been in your employ?—My employ is of that nature that I believe I have all Yarmouth in it at times, when I want ships repaired. I am agent for most of the underwriters along the coast, and when the ships come in in distress, I feel that I want men, and I take any men that I want; that is all that he is in my employ.

2061. Do you know enough of him to state what his general character is?—I never heard any thing against him; he is a very good caulker; I know nothing against the man at all.

2062. Is he a man whom you would believe?—I should believe him, certainly.

2063. But if he has asserted, and asserted positively, that you advised him to receive a sum of money from the Reds, and then to vote against the Reds, he has asserted that which is not the case?—I say he has asserted very wrongfully; he may have forgotten, but the only words that passed between me and Mr. Boyce are the words I have mentioned.

2064. You are quite positive that you gave him no such advice?—I am.

2065. Did any people in the Red Lion give him that advice?—I do not know, I merely went in there.

2066. Do you know that that advice was given in print afterwards, did you ever see this hand-bill?—Yes, I recollect seeing that bill.

2067. Did you address yourself to Boyce?—I spoke to him; first I asked him if he was going to vote for Anson and Rumbold.

2068. Did you speak loud enough for those in the room to hear you?—Yes, I dare say I did.

2069. Did he answer you in a tone of voice that other persons might have heard it?—Yes, any body might have heard it, indeed I heard it from different people the very same day, that he told the same tale to.

2070. The same day you heard from others, that Boyce had made known his intention to them as he had made known to you?—Yes, that he was going in to get 5*l.*; I heard it from different people the very same day.

2071. So that you were not surprised afterwards, when you heard that he had got this money?—No, not at all; I went to the poll the next morning, and heard that Boyce had been there with four sovereigns.

2072. He had voted that morning?—The morning after this conversation.

2073. Are you positive of that?—I think I am.

2074. When you saw him in the evening he stated that it was a future project?—Yes, that he should do so.

2075. Can you be certain, from any thing which you know, that he did not vote the evening preceding?—I have it in my recollection; he said "I will go in for them to night, and I will get five sovereigns, and be up in the morning and poll before you are there."

2076. Was that after the poll had closed?—Yes, it was between eight and nine o'clock.

2077. If he has asserted that he polled the first day he has made a mistake, or asserted what is wrong?—He may have forgotten, or I may have forgotten; I think that is the impression upon my mind, that he polled the next morning; I came in the morning, the next day, about 11 or 12 o'clock, and they told me that Boyce had been up to poll.

2078. Was there any conversation in the room upon the subject of taking money from the Reds, and voting for another party?—No.

2079. You do not recollect any general conversation of that kind?—No.

2080. When Boyce stated to you that he was going in for 5*l.* did any body else in the room say any thing about it?—No; there was a room of 12 or 14 people there, and two-thirds of them were a little intoxicated, and they were smoking and one thing and another that I could not hear any body else speak, he addressed himself in that way to me.

2081. Nobody else ever made the remark?—No.

2082. Are you quite positive that you made no such remark to him at all?—I am.

2083. You were rather glad to hear that he was going to be true to those; did not

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not you say in answer to that "that is right my boy"?—No, I think he was going out, and he passed me directly.

2084. But you were interested enough about his vote to ask which way he was going to give it?—I was.

2085. When you asked him which way he was going to vote, and he replied, did you not say "that is right?"—I do not believe that I made any answer.

2086. Will you be positive?—I would not swear whether I did or not, because my recollection at my age is not so strong; I never thought of coming up here, and therefore it has passed from my memory.

2087. You are sure that you did not give direct advice to act in the way in which he acted?—Certainly not.

2088. You would not think it right?—No, I would not have done it myself, and should not have advised it.

2089. You would have considered it a disgraceful and dishonourable act to give that advice?—Yes, I should if I had given that advice.

2090. Then you, considering it a disgraceful and dishonourable act, would you recollect if you had done it?—I never have given it to my recollection; I could not have given it.

2091. In the White Lion was it all one party that was there, or a mixed party?—It was all mixed together perhaps at that time; I do not know what they were.

2092. You do not know whether they were Reds or Blues?—No.

2093. Do you know who wrote that bill?—No, I do not.

2094. Can you recollect how many persons you may have heard state that Boyce had mentioned the same circumstance to them?—It was currently reported about the town; I never heard one person mention it more then another; he mentioned it at different houses that he went into, I suppose; I have no hesitation in saying that because it was generally known.

2095. And he would be likely to mention it whether it was an electioneering trick or whether it was true?—I dare say he mentioned it as an electioneering trick, but not to me.

2096. The Blues and Reds confine themselves to their own houses, do they not?—Yes.

2097. Do you mean that it was generally known throughout the town that he did so?—I think it was known that night that he meant to do it, and all that day.

2098. That he was going to the committee room?—He did not say that he was going into the committee room, but that he would go in to them and get the five sovereigns.

2099. All that you know is, that it was generally known that he had so asserted?—Yes, he asserted it to me.

2100. Whether it was an electioneering trick or not, from the knowledge you have of Boyce's character, if he here states that he did so, do you believe him?—I have never found him in a falsehood in the work he did for me.

Edward Boyce, called in; and further Examined.

Edward Boyce.

2101. WILL you state to the Committee what passed when you were present in the room where Mr. Butcher was?—I said that I heard that there was money flying about, and I would get all that I could; and Mr. Butcher said, "If you get any, you must not vote for the party who gives it you;" that was all that passed.

2102. Did you vote the first day of the poll or the second?—The first.

2103. In the evening or the morning?—In the morning.

2104. Was it the first day of the poll or not, when you met Mr. Butcher?—I did not meet him.

2105. What time of the day was it you saw him?—In the evening of the night of the election.

2106. After you voted?—No, before I voted.

2107. Did Mr. Butcher seem in a hurry, was he going out of the room?—I do not remember.

2108. Was he going in?—No, we were sitting in the room.

2109. How many persons might be present?—Forty or fifty.

2110. Did

2110. Did you say to Mr. Butcher that you would go in for the other party?—Yes, some such word as that.

2111. What did you mean by that?—That I would get all that I could.

2112. Did you speak to Mr. Butcher first?—I spoke in the room.

2113. Before that, had he said any thing to you?—No, I spoke openly in the room.

2114. Did he ask you whom you were going to vote for?—No.

2115. Did you say that you would not deceive them?—No, I do not think I did; I might say so.

2116. Were you sober at the time?—Yes.

2117. Were the freemen there of one side?—No, some voted one way and some another, I believe, that were there.

2118. Was it a Blue house or a Red house?—Either went there.

2119. Did you pay for what you had?—Not that evening.

2120. Did you see any freemen there that afterwards voted Red?—I do not recollect.

2121. Did you pay at any time for what you had that evening?—Some I did, and some I did not.

2122. Do you know who paid the remainder?—I do not know.

2123. Do you think it was a Blue house?—I cannot say.

2124. Was it a Blue house?—It was a Blue house during the election.

2125. Were there any parties present on that day, in that house, to whom you mentioned your intention of going in?—I mentioned it generally in the room.

2126. Did you mention it in the town?—Very likely.

2127. Did any body in the room tell you to do so?—No, nobody advised me one way or the other, only Mr. Butcher said, "If you get any money you must mind how you go on."

2128. What did you understand by there being money flying about?—In regard to bribery.

2129. Did you hear about that?—I have heard it; it was publicly talked about the town.

2130. You thought you would try an experiment?—Yes.

2131. When you left the room that night, where did you intend to go, had you heard so much about it that you knew where to go?—No.

2132. Then it was your accidentally meeting of Smiter that led you to the real place?—Yes.

2133. Were you on the look-out at that time?—No, I was not thinking of it at the time.

2134. Do you know, except Stevenson, any other man that received money during the election?—No, and I did not hear of that till after I got my own.

2135. But you never heard of that from that day to this?—No.

2136. That nobody had been offered 4*l.* or 6*l.*, or anything of that sort?—No.

2137. *To Mr. Butcher.*]—Is what Mr. Boyce has now stated, correct?—Yes, the same; in election times people would not recollect every word that has passed. I had no idea of anything of this sort, or I should have recollected it better.

2138. Have you any doubt that you said, "Mind what you are about?"—I do not recollect it, but it is very possible, I would not swear whether I did or did not.

2139. Is what you wish to state, in substance, that you never did advise him to take money, and vote against the party?—Yes, I took up the good cause; I had a wish at the time that there should be a pure election, though I did not take an active part, I wished the members to be elected by the voice of the people.

2140. Are you a freeman?—I am a freeholder; I have been in Yarmouth 54 years; the Reform Bill has got the chains knocked off. I have been labouring under very great disadvantage by losing 7*d.* a chaldron in the importation of coals, and I myself lay out thousands and thousands in Yarmouth, and a man shall happen to be born free in Rochester, or some other corporation, and he has ships in the coal trade, and he comes down and puts into Yarmouth, and he sells his coals, and never lays out a farthing in the town, and he gets 7*d.* a chaldron more than me, and I think I have a very good reason for being a Reformer; the Act of Queen Anne is done away, and we get the same privileges as the freemen.

William Cooper.

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William Cooper, called in; and Examined.

2141. ARE you a twine-spinner?—Yes.

2142. Are you an apprentice to somebody?—Yes.

2143. To whom?—To Mr. Tressey.

2144. Were you employed before the last election as a flag man?—Yes.

2145. How long before?—About six weeks before.

2146. By whom?—Mr. Green authorized a man to set our names down.

2147. How long were you employed?—About six weeks before the election.

2148. How often did you go out?—We were out very nearly every night before the election.

2149. Had you music with you?— Yes.

2150. Who paid you?—I had to summons Mr. Green for the money.

2151. Did Green hire you?—Mr. Green authorized the man to set down our names, so that that was all the time.

2152. Was there any dispute between you and Green afterwards, which led to your summoning Green?—No, only I went for the money, and he would not pay me.

2153. What did he say?—He said that he had paid all his money away.

2154. Was that the only reason he gave?—Yes.

2155. What did you do upon that? —I summoned him.

2156. Before whom?—Before the Court of Yarmouth.

2157. Did they order him to pay?—Yes.

2158. Did you afterwards receive the money from him?—Yes.

Mr. *Ashurst* applied to the Committee that he might have notice given to him by the agents on the other side of the witnesses whom they intended to impeach.

The Committee room was cleared.

After some time, the parties were called in, and informed that the application of Mr. Ashurst had been granted; and also, that the Committee were of opinion that the evidence need not be proceeded further with, in respect of the payment of the two guineas.

The Committee inquired whether it was intended to dispute the payment of the two guineas.

Mr. *Pritt* stated, that he was hardly prepared to give an answer to that question at present, he thought that it was not, but that he wished to give this answer without prejudice.

Jovis, 30° die Julii, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON, IN THE CHAIR.

Mr. *Pritt* stated, that he should not call any Witnesses to impeach the credibility of the other Witnesses who had been called on Tuesday; but that in case any Witnesses were called to corroborate them, he should attempt to impugn their testimony, and also that he would now give a positive answer with respect to the payment of the two guineas; that he should not call any evidence to disprove the payment in reference to the last election, or any prior election.

Mr. *Ashurst* stated that, after Samuel Carr was examined, he spoke to Mr. Barth in the Committee room, and said that he had not stated all that he knew; and therefore he suggested that perhaps the Committee would think it right to examine him.

Samuel John Carr, again called in; and further Examined.

S. J. Carr.

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The Chairman informed the Witness that he was not bound to answer any question that criminated himself; but that in answer to any question he was bound to speak the whole truth.

2159. WHEN you left the chair, you came round to Mr. Barth?—Yes.

2160. What did you state to him?—I told him that I should have had two guineas if I had voted for the interest of the other party, the Red party.

2161. State

S. J. Carr. 30 July 1835.

2161. State to the Committee all about that; how you make it out?—By Mr. Thomas Goodeye, shoemaker, at Yarmouth; he offered me, the day before the election, if I would go that way, and I said, "No, if they would give me ten I would not do it."

2162. Where were you when Mr. Goodeye made you this communication?—Close to Mr. Robinson's, at the Golden Key.

2163. On what day was this?—The day before the election.

2164-5. The nomination day?—I suppose so.

2166. The election was on Tuesday and Wednesday; this was on Monday?—Yes.

2167. At what time?—At half past eight o'clock in the morning as near as possible.

2168. Did not you say that this person named Goodeye was a Red?—No.

2169. Was he a Blue?—I do not know.

2170. Did you know him to be a Red or a Blue?—He is not a freeman that I know of, nor yet one of the party belonging to the committee.

2171. For whom did you vote?—I voted for Mr. Baring and Mr. Praed.

2172. And you would have had two guineas if you had voted for Mr. Anson and Mr. Rumbold?—Yes.

2173. Mr. Goodeye offered you two guineas?—Yes, about half past eight o'clock the day before the election.

2174. Was any body by when he made that offer?—No, it was in Wood-street, and there is not the traffic there that there is in London.

2175. Were you surprised at the offer?—No, I made a laugh.

2176. Did any thing further pass between you and this man Goodeye?—Nothing further, only he repeated it twice to me, and told me if I went to his house, he would give me the two guineas.

2177. To whom did you first mention this story, and when?—The first place that I mentioned this was in a cellar at the Two Brewers, and then I do not think I mentioned it to any body till I came to London

2178. To whom did you mention it at the Two Brewers?—If I mistake not, Mrs. Savage, that keeps the Two Brewers; there might be some more people there, but I do not recollect.

2179. When was this?—The day before I started; the evening of the day before I left Yarmouth.

2180. You never mentioned it before then?—No, without it was to my wife.

2181. Did you mention it to Mrs. Savage?—No, I mentioned it to the people that were present; I was not very nice.

2182. Did you know any body else that was present?—No, I do not; I laughed.

2183. Did you consider it a sort of joke?—Nothing further; I did not take the money.

2184. Did you consider that it was a sort of joke when the man offered it to you?—No, that was in reality as sure as I sit here before God.

2185. Do you know any other person to whom any such sum of money was offered?—I was very little out at any part of the election time.

2186. You do not know any person to whom it was paid by the Blue party?—No.

2187. So that you do not know any one single person to whom it was offered, or to whom it was paid by the Blue party?—No.

2188. You do not know any body of the Blue party to whom the money was paid by the Blue party?—No, I do not know any one; there was a great talk about it, but I cannot prove it; there is a deal of talk more than is true.

William Pye, called in; and Examined.

William Pye.

2189. WHAT are you?—A publican in Yarmouth.

The Chairman informed the Witness that he was not bound to answer any questions that might criminate himself; but that he was bound to speak the truth, and the whole truth.

2190. What is your sign?—The Jolly Maltsters.

2191. Whose house is that?—Mr. Lacon's.

2192. Does

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2192. Does Hall lodge in your house, or did he?—Yes, he has lodged in my house these three years.

2193. Will you state to the Committee what you know about a sum of 10*l.* that Hall has been speaking of?—What I know about it is, Mr. Lacon came to my house, and he offered 10*l.* to Mr. Hall, and he wanted the money before he would vote. Mr. Lacon refused giving it, and he paid it into my hands, and I was to pay it to him after he voted, and I took the 10*l.* and paid it to him as he liked to draw, at least my wife did.

2194. Is that all that you know about it?—That is all that I know about it.

2195. And did you pay to Hall the money that Lacon put into your hand?—Yes, I settled it in some way, either in money or in drink, so that he had the 10*l.* of me.

2196. Was your house a Red house?—No, it was not an open house.

2197. Had you any thing to do with the tickets?—No.

2198–9. Did you issue any tickets?—Not one.

2200. Had you nothing to do with the election?—No, only I went as a colourman from another house, not my own house.

2201. For which party?—For the Reds.

2202. And Mr. Lacon is a Red?—Yes.

2203. Which of the Lacon's is it?—Young John Lacon.

2204. Is that the gentleman connected with the 10*l.*?—Yes, that is the man that I received the 10*l.* of.

2205. Is that the gentleman behind you?—Yes, it is.

2206. Has that gentleman been appointed to a situation in the Custom-house lately?—Yes, I believe he has, but I do not know.

2207. The gentleman that you see behind you is appointed to the situation in the Custom-house lately?—Yes.

2208. Is that Mr. John Mortlock Lacon?—No, I believe his name is not John Mortlock.

2209. And you do not know whether he has been appointed to the Custom-house?—No, I do not know, except that I have heard that he is.

2210. Whether that be the gentleman, who is in the room, who has been appointed to the Custom-house or not, is he the gentleman who was in the room, and connected with the 10*l.*?—Yes.

2211. Is that your landlord, look at the gentleman?—No, that is not.

2212. Stand up and look round and see if you see the gentleman in the room that you saw at your house?—No, I do not see him in the room.

2213. Are you sure that you should know him?—Yes, I think I should, but I had not much to do with him; I do not know that I have seen him 20 times in my life.

2214. Is he your landlord?—His uncle is my landlord.

2215. You mean to say the uncle of the gentleman whom you thought you saw just now?—Yes.

2216. Is that gentleman behind you the brother of the gentleman of whom you are speaking?—No, I believe not.

2217. *To Mr. Barth.*]—Are there two families of Lacon's in Yarmouth?—Yes, one family is Sir Edmund Knowles Lacon, baronet, and his brother Mr. John Mortlock Lacon.

2218. Are they in the same bank?—They are partners as brewers, and not as bankers.

2219. Are they two families?—Yes.

2220. What is the family?—There are two sons of Sir Edmund Knowles Lacon, and I think three or four, I am not quite sure which, sons of Mr. Mortlock Lacon, his brother.

2221. Do you know the christian names of Sir Edmund Lacon's two sons, and of the sons of the other gentleman?—I am not quite sure whether I know Sir Edmund Lacon's son's name; I believe it is Edmund. The gentleman that is here is John Edward Lacon.

[Mr. Lacon, who was present, stated that his name was John Edward Lacon.]

2222. *To Pye.*]—Is the person who gave you the 10*l.* your landlord?—No.

2223. Is he the son of your landlord?—He is the son of Mr. Mortlock Lacon.

2224. Then

2224. Then the gentleman who is here is not the person who gave you the 10*l.*?—No.

2225. Were you present during the whole of the conversation between Hall and Mr. Lacon?—No, not the whole of it, I was not.

2226. What passed in your presence?—Nothing passed in my presence, only Mr. Lacon said how he would pay that money to me for Hall if he would go and vote then, and then I was to give it to him after he voted.

2227. Whereabout was Hall in the house when Mr. Lacon made this offer?—It was in my sleeping room where the money was paid.

2228. Were you in the sleeping-room up stairs when the money was paid?—Yes, it was paid to me in the sleeping-room up stairs; we were all three there.

2229. How long were you there?—I suppose half an hour.

2230. You came together?—Yes, we came down together.

2231. At what hour of the day was it?—I cannot exactly say, but I think it was about 11, between 11 and 12.

2232. In the middle of the day?—Yes.

2233. Not at night?—No.

2234. When you came down stairs did Hall go out of the house?—Yes, he went out of the house directly and went up to the poll booth.

2235. Was Mr. Praed ever in your house?—No.

2236. Was any body else present but yourself, Mr. Lacon and Hall?—No, nobody else was present at the time.

2237. Do you know Mr. Praed by sight?—I do just know him by sight.

2238. Was he in your house on that day?—No, he was not in my house at all.

2239. How long was this before the election?—It was the second day in the election when the money was paid, and the conversation was that day, I never heard any conversation before.

2240. Had Hall voted at that time?—No, he had not voted then.

2241. Did Mr. Lacon write any note?—Yes, he did write a little note, but he used it himself.

2242. What did he do with it?—I believe he put it in his pocket.

2243. When did you first mention this story?—I did not mention it till the gentleman came who had Hall up, and then they asked me for the truth, and I told them as I have told it here.

2244. When was that?—I think it was last Monday.

2245. You never mentioned it to any body before that?—No I never mentioned it to any body at all before that.

2246. Did Mr. Lacon tell you to keep it a secret?—No.

2247. He did it openly in your presence, and did not tell you to keep it a secret?—No, he did not tell me to keep it a secret.

2248. Did you consider that you were authorized to tell about the 10*l.* to all Yarmouth?—No, I should not have told any one.

2249. Do you know a man of the name of Trury?—Yes.

2250. Was he in your house?—Yes, the night before.

2251. Did any thing pass then?—Yes, I heard him talk to Hall, but I could not hear the conversation, only that he wished him to vote that way, but any thing further of the conversation I cannot tell about, the house was full of company.

2252. Did Trury ever come with Mr. Lacon?—No he did not.

2253. Was Mr. Lacon ever in your house but on that occasion?—No, never but then that I know of.

2254. And it was upstairs in your bed-room?—Yes.

2255. Is this Mr. Lacon the son or the nephew of your landlord?—Mr. Mortlock Lacon's son.

2256. Is he your landlord?—Yes.

2257. Do you know that gentleman that is sitting near you, was it his brother?—No.

2258. Was it his cousin?—Yes.

2259. That is the son of Sir Edmund Lacon?—Yes.

2260. Did this Mr. Lacon come to your house, and did he find Hall and you there?—Yes.

2261. When did he come in first?—He came in about half an hour before he paid the money.

2262. Into this room?—He came into the parlour where Hall was sitting.

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2263-4. Were any body in the parlour besides Hall and you?—No.

2265. Who proposed to go into the room above stairs?—Mr. Lacon said we had better go by ourselves as there were other people in the house, and then we went up stairs.

2266. Mr. Lacon went up stairs, and Hall followed, and you too?—Yes.

2267. Do you know any other person that offered 10*l.*?—Yes, there was another person offered Hall 10*l.* in the Blue party at the same time.

2268. Who was that person?—Frankland the baker.

2269. Do you know any other person to whom 10*l.* was given or offered to vote on either side during the election?—No, I do not.

2270. Do you know what were the numbers at the close of the first day's poll?—I am sure I do not know.

2271. Do you know at 12 o'clock at that time what the relative numbers were upon the poll?—No I do not, I do not recollect anything about it.

2272. Had you ever, during the polling, bills or statements sent from the polling booths to your house, saying how the poll went on?—No.

2273. Are you a freeman?—No.

2274. A 10*l.* householder?—No, I am not a 10*l.* householder.

2275. You have no vote?—No.

2276. How long have you been Mr. Lacon's tenant?—About a year and three quarters

2277. Have you had notice to quit?—No.

2278. Are you in arrear for rent?—My rent is always paid every week; I always pay my rent when my beer comes in.

2279. And you have had no quarrel with Mr. Lacon?—No.

2280. Did Hall take the 10*l.* that he was offered by Frankland?—No.

2281. How do you know that Frankland offered Hall 10*l.*?—Because I heard him offer it in my own house, he said that how he would have 10*l.*; he said if you cannot get 10*l.* any where else, I will give you 10*l.*

2282. Did Hall take the 10*l.*?—No.

2283. Was the money produced?—No; I never saw the money.

2284. When this 10*l.* was paid by Mr. Lacon, was there any wine had?—No.

2285. It was quite a dry bargain?—There were two glasses of gin and water that were ordered after the money was paid, and we drunk some down stairs.

2286. You had no wine up stairs?—No; we do not sell wine.

2287. Are you a tenant of Mr. Lacon who is a brewer?—Yes.

2288. How far is your public-house situate from his brewery?—I should think about a quarter of a mile.

2289. You do not sell wine in your house?—No.

2290. Was any wine brought into your house from elsewhere?—No.

2291. At no time?—No.

2292. Do you know what the state of the poll was at the close of the first day's polling?—No, I do not; I do not recollect at all now.

2293. Do you recollect whether Messrs. Baring and Praed or Messrs. Anson and Rumbold were at the head of the poll?—I do not know.

2293*. Did you receive the money in two 5*l.* notes or in sovereigns?—In sovereigns.

2294. This note that Mr. Lacon wrote, was it like a letter?—It was only just a small note.

2295. Was it folded up?—Yes, he folded it up afterwards.

2296. Was it a sort of memorandum or was it a letter?—I believe it was a sort of memorandum; I am not learned myself, so that I could not read it.

2297. You have stated all that passed in your presence, have you?—Yes.

2298. You know nothing more upon the subject?—No.

2299. You were examined on Monday week, were you not?—Yes.

2300. Did you tell the gentleman that examined you that Hall was a rascal for splitting?—No, I might say the word; I do not recollect what I said; I might very likely say so.

2301. Had you some conversation about it?—Yes, I had, very little.

2302. You did not know that Hall had split before that?—No; I did not know anything about it.

2303. You were rather surprised?—Yes.

2304. By splitting, you mean telling?—Yes.

2305. You are sure it was ten sovereigns, are you?—Yes.

Mr. *William Waller*, called in; and Examined.

Mr. *W. Waller.*

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2306. WHAT are you?—Clerk to Mr. Ashurst, solicitor for the petitioners.

2307. Did you examine Hall upon the facts to which he has been examined by the Committee?—I did; Hall was brought to me by one of the gentlemen at Yarmouth to give his evidence; he dictated it to me, and I put it down in writing, and he then mentioned two or three names; I pursued the same course as I had in every other instance where names had been mentioned; I went immediately to the parties named in his testimony; one of them was Pye, at whose house he said he had taken the money.

2308. Was this at Yarmouth?—Yes; the amount of 10*l.* being larger than any other sum I had heard while I was there being paid for a vote, made me very doubtful whether he was speaking correctly or not. Immediately after he had signed this statement, I told him to wait there, and I would go to his landlord, and ascertain whether what he had told me was true; he made some remark, that it was not likely that his landlord would tell me, for he was a "deep Red;" but I went with Mr. William Worship, a solicitor at Yarmouth, to Pye's house, and found him in his tap-room, and I said I wanted to speak to him privately a minute, and there was no space below private, and he asked me to walk up stairs, and I asked him if that was the bed-room in which Mr. Lacon had paid Hall the 10*l.* He appeared very much surprised, and said, "That rascal, has he split," or something to that effect. Then he went on afterwards to describe how the money was paid in ten sovereigns. I went back to my apartment, and Hall was remaining there; I mention this, that it might not be imagined that there was any communication between them.

2309. Have you heard him examined here?—Yes.

2310. Is the statement which he made to you in his house the same as he made in this room?—Yes, they differed a little in their tale.

2311. But in substance they were the same?—Yes, and I may say that Hall was very nearly the same, except that he said he had never signed the statement, which he had done.

2312. Did Hall know that you were going to examine him long enough previously to have made up any story with Pye?—I can hardly form an opinion upon that subject; I heard immediately he went to Yarmouth, that his manner was such when he went to poll, that many people thought he had been bribed. "You may go to h—l with you all," he said, and upon that I sent for him.

2313. In consequence of what you heard, you sent for Hall?—Yes.

2314. Was that the first intimation he had, or the first summons from you?—Yes.

2315. Did he come with that man?—Either he came with him, or in consequence of the message; he was very reluctant.

2316. After you had examined him, you made him wait where you had examined him, and went yourself to Mr. Pye?—Yes; he was rather reluctant to my going to Pye; he fancied that Pye would be angry.

2317. Hall told you that it was in the bed-room of Pye that the transaction had taken place?—Yes.

2318. Did you ask when you got to Pye to go to the bed-room?—No; it is a small pot-house, and his room was full below, and I asked if I could speak in private, and he had no other private room but up stairs, and I asked when we got into the bed-room, "Is this the room in which Hall received the money."

2319. And did Pye appear surprised as to that?—Yes, he did; both surprised and angry.

2320. And then he said, "What, has the rascal split?"—Yes; he said, "If he had got the money, he should have held his tongue; he should never have served them so."

2321. Was that in the room in which he said that the money was paid?—Yes; I do not think we were in the house for three minutes.

2322. Did Hall make any objection at all in giving his evidence?—No, he volunteered; he came with the man; what difficulty the man had who brought him, I do not know.

2323. Are you an inhabitant of Yarmouth?—No, I was never ther. before.

[The Witness withdrew]

Mr. *Barth.*

2324 *To Mr. Barth.*]—Were Messrs. Baring and Praed a-head on the first day's poll?—They were considerably a-head; I believe 130 or 140.

Mr. *W. Barth.*

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2325. In the former part of the second day, did Anson and Rumbold gain at all over the other party?—Yes, on the second day morning; at noon, I think, the majority of the first day was reduced about two-thirds, whatever it was.

2326. Do you know what the numbers were about noon on that day?—Not the total number.

2327. Do you know the majority for Baring and Praed at twelve or one o'clock that day?—I think at one time it was reduced to about 50.

John Goram Thompson, called in; and Examined.

J. G. Thompson.

2328. WHAT are you?—A letter carrier.

2329. Where?—At Yarmouth, in Norfolk.

2330. Do you recollect the period when the vote-money was spoken of as being paid in Yarmouth?—I can recollect within a few days of the time, not punctually to the time, I cannot.

2331. Shortly before that time did you carry a letter to Green's?—I did.

2332. State to the Committee what sized letter that was?—I do not know; I should think it might be two ounces, or better than two ounces.

2333. Do you recollect about what the postage was?—I cannot ascertain to tell candidly, not within a shilling or two, or three shillings.

2334. State as nearly as you can, your belief of the amount of the postage?—I thought it was 13*s.* 4*d.*, but I think I must have exaggerated, because one ounce is 3*s.* 4*d.* and that would have made it four ounces.

2335. How much do you now think was the postage?—Six or seven shillings.

2336. Were there any persons there when you carried in that letter?—Several in the kitchen.

2337. Was any observation made at the time when your carried in the letter?—No; no otherwise than they said they were glad to see me come in; that it was what they were looking for.

2338. Were those persons who were there voters in Yarmouth?—One I know was.

2339. Was any thing said about the letter not being franked by the person sitting there?—No.

2340. By any body else?—By Mr. Green himself.

2341. State to the Committee what he said?—First of all he asked me the postage of it, and I told him at the time what the postage was; now I cannot recollect exactly what it was. He said it ought to have been franked.

2342. Did he use any other words; give the sentence in which he used that expression?—He did not use any other words than those that he expected it would have been franked; but I said it could not have been franked, and the members could not frank above an ounce.

2343. Will you give the expressions of Green at the time he spoke of the letter not being franked?—I have done so to the best of my belief, those were the words; he said it ought to have been franked by the members; what members he was alluding to I know not; whether it was the members for Yarmouth or any members of the House of Commons.

2344-5. After that did you see one of Green's sons?—I did.

2346. Which of the sons was it?—Thomas.

2347. Did any conversation pass between you and him relative to that letter?—

[The Witness was directed to withdraw.]

The question was objected to, and after some discussion the Committee-room was cleared.

After some time the parties were again called in, and informed that the Committee had resolved that the Witness be allowed to give in evidence the substance of the conversation with Green's son, so far as it tends to criminate Green's son, but not in order to affect a third party.

John Goram Thompson called in; and further Examined.

J. G. Thompson.

2348. With reference to the conversation with Green's son, of which you were speaking, did you see Green's son, and which of them?—Thomas.

2349. Is that the eldest, or the second, or third son?—I think he has only two sons.

2350. Is

2350. Is it the elder or the younger?—The younger.

2351. What age?—I suppose about 20 or 21.

2352. Was he a colourman or any thing engaged in the election?—I do not know.

2353. Did you see him in it?—He was about in it the same as most of the town were.

2354. Was he a voter?—I cannot say.

2355. Was he present when you delivered the letter to his father?—He was not.

2356. How soon after did you see him?—The next day.

2357. Will you state to the Committee what passed between you and him?—I met him, he was joking about the money.

2358. What did he say?—He said that the Blues were not paid, but the Reds were.

2359. State all that passed?—And he said, "You were to blame that you did not pay yourself, for you had the money in your possession before my father had."

2360. Is that all that you recollect?—I do not recollect any thing more.

2361. When you delivered the letter to Green did not you say, "This ought to have been franked being so large a letter?"—No.

2362. Do you think it at all unnatural that a person receiving a letter of that size, and of that postage, should have made the remark that it ought to have been franked?—I think it not unlikely; I think I understand the question whether any gentleman would make a remark where I carried a letter of that size; I think if a gentleman had a letter come he might say that.

2363. For whom did you vote at the last election?—Anson and Rumbold.

2364. Had you usually voted for that party?—Never any other way.

2365. You were a very active partisan on that side?—Not at all.

2366. But you always voted for them?—Yes.

2367. How long have you been a letter carrier?—Seven years.

2368. Have you ever seen this young Green active as a partisan on the other side, the Red side?—No, they never were active no more than the whole town was on one side or the other.

2369. Did Green pay the amount of the postage of this letter?—Yes.

2370. What did he pay?—I cannot state the amount, it has gone from my mind.

2371. Did he complain of the amount?—Yes.

2372. What did he say, do you remember the language that Green used when he complained of the charge?—Yes.

2373. What did he say?—He said that the letter ought to have been franked, that the members ought to have franked it.

2374. Was there a post-mark upon the letter?—It came from town.

2375. Have you been accustomed to take franked letters to Green's?—No.

2376. Have you taken franked letters to Green's?—I have taken one yesterday, and one on Saturday.

2377. By whom were they franked?—By Mr. Praed I think they were franked, by the member for Yarmouth, I am sure they were franked.

2378. Was there "money letter" written outside the large letter?—No.

2379. You stated that you delivered yesterday a franked letter?—Yes.

2380. And that you delivered a letter to Mr. Green?—To Mrs. Green; it was directed "Mrs. Green of Yarmouth," both of them to Mrs. Green.

John Burgess, called in; and Examined.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself, but to speak the whole truth.

2381. ARE you a voter?—Yes.

2382. Where do you live?—South Town.

2383. Is that in a district called Gorlestone?—Yes.

2384. Did you poll at the last election for Yarmouth?—Yes.

2385. For whom did you split?—For Praed and Rumbold.

2386. Were you canvassed by the Red party?—Yes.

2387. Who canvassed you?—Mr. Prentice did a great many times.

2388. The Committee call your attention to the Saturday morning preceding

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the election, do you remember that morning, did any thing happen on the Saturday?—Not any thing that I know of.

2389. Did any think happen on the Sunday?—On Sunday about two o'clock as near as I can recollect, Mr. Prentice came to me and asked me whether I would vote for him, and I did not give an answer, and, said he, if I was to offer you 5*l.* likely I should offend you, as you are not like a great many poor men who want it; I said, Mr. Prentice 5*l.* would be very acceptable in my large family, as I have 13 children; and he wished me to go and take something to drink, and I said no, Mr. Prentice, I shall not do that; he said well, I shall call in the evening, and then we will talk about it, and he called in the evening and I denied being at home, and on the Monday morning he came down again early, I might say by seven o'clock, and then he offered me the 5*l.* again by word of mouth, I did not see any money, and I said no, I dare say I shall not have any thing at all to do with it, that is all about it.

2390. Was there any thing about breakfast?—He wished me to go to breakfast with him, and I did not go.

2391. After the election, did you hear anything about vote-money?—Yes; Mr. Prentice sent his son down to me twice on the 11th of May I think, to say that if I would go to the Feathers that evening I should receive my election money.

2392. Who is the Feathers kept by?—Mr. Morphee, to the best of my knowledge that is the name.

2393. Where is the Feathers?—In Gorlestone; and in the course of the evening I went down, but not intentionally to take the money, but to see, merely for a walk, but I did not go into the room where those gentlemen were, and I had my three pennyworth of rum-and-water and went home again, and on the next day morning as I came past Mr. Prentice's house he called to me, and said, he had my election money; he said he did not send the petition for me to sign, as he knew I should not have signed it, but he had got the money for me, and he brought it to me in his hand, but how much I do not know, and I said no, I shall not take it now, Mr. Prentice, I shall see you another opportunity, and from that I never took it.

2394. What was that petition that you were speaking of?—There was a petition drawn up by some man in South Town as I understood, and it was carried round to the 10*l.* voters for all of them to sign for this money, but it was not brought to me; Mr. Prentice told me that there was but very few that did not sign it, but he did not bring it to me, as he knew I should not sign it.

2395. Is that all you know?—That is all I know.

2396. About what period was it that you went to the Feathers, relative to the vote-money?—That was on the 11th of May, on the Monday evening the 11th of May.

2397. Did you see the petition to which you allude?—No, I did not see the petition at all; Mr. Prentice said that there was a petition drawn up, and this money was paid for loss of time.

2398. You did not see the petition?—No.

2399. Did Prentice say any thing about who had signed that petition?—No; I understood Prentice that there was not above two or three but what had signed; but he did not bring it to me, as he thought I should not sign it.

2400. Was that a petition from the 10*l.* householders at Gorlestone?—Yes.

2401. To whom was the petition addressed?—I did not hear; I did not come into the company amongst parties not above once or twice; I never had 6*d.* from either party in my life for anything.

2402. Do you know whether it was a petition to the candidates?—I do not know any thing about it.

2403. Are you a 10*l.* householder at Gorlestone?—Yes.

2404. Are you a freeman at Yarmouth?—No.

2405. Do you know how many 10*l.* householders you have in Gorlestone?—No.

2406. You have not been a parish officer?—No.

2407. Did you vote in the election for 1832?—I had a vote then, but I did not vote at all.

2408. Have you ever received any vote-money at any time?—I never received a farthing from either party for any thing in my life.

2409. Who is Mr. Prentice?—A man living in Gorlestone, a carpenter.

2410. Is he very active in the election?—Very active.

2411. Was he active for the Reds or the Blues?—For the Reds

2412. Was

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2412. Was he the first person that told you of this petition?—Yes, he was.

2413. Did he tell you who had drawn out the petition?—No, he did not; and I did not ask him any question about it.

2414. Did he say who was carrying it round?—No, he did not, and I never saw it; they never came to me with it; he said it was a petition for every one to sign, and I understood there were very few people but what did sign it; but he did not bring it to me, as he thought it was of no use.

2415. Whilst you were taking the rum and water, were any of your townsmen present?—There were, but none of them had a vote; I did not go in amongst them at all.

2416. Did you see Mr. Prentice there?—No, I did not.

2417. Did you see many householders about the door?—I met some there; but I did not see any there; I did not stop many minutes.

2418. Had you any conversation with them?—There were many of them there, and they said that there had been different ones out and in, taking the money; but they did not go into the room where they had been taking of it.

2419. Those were not householders?—No.

2420. Did you state what money Mr. Prentice offered you after the election?—No, I did not ask Mr. Prentice how much money there was; he called to me and said, "Burgess, you may as well take this money."

2421. You never received that?—I never received a farthing from any party in my life; he held it out to me as I was in my cart, and I did not say that I should not take it, or that I should.

2422. Did you see any thing in his hand?—Yes, it was silver; he said, "Perhaps I shall spend it if you do not take it;" and I said, "Never mind, if you do, that is of no consequence.

2423. Did you hear from anybody else anything about the petition?—No, not in particular, for I never go amongst other parties, I spent only one evening with them, and then I paid for what I had.

2424. If Mr. Prentice had said, that all had signed the petition but two or three, do you doubt the correctness of that?—I would not be upon my oath upon such a thing, but that is nearly to it, he said "two or three," so I understood him, and he said I knew it was of no use bringing it to you as you would not sign it, I have your money for you.

2425. Who was the leading man amongst the Gorlestone voters?—I do not know.

2426. Did you hear anything about a Blue petition?—No, in fact I never went into either of their companies but just before the election, I was out in the morning before the election commenced, and a little while I was with Mr. Prentice.

John Woods, called in; and Examined.

John Woods.

2427. WHAT are you?—I have some land, about six acres and a half of land.

2428. What do you call yourself?—A little farmer.

2429. Where do you live?—In South Town, adjoining Yarmouth.

2430. What do you know about the petition from the Gorlestone householders?—I am one.

2431. Did you sign the petition for the vote-money?—No, I did not.

2432. Did you get any one to sign for you?—That I do not know whether they signed it for me or not, but I did not sign it, and did not order any body to sign it.

The Chairman informed the Witness, that he was not bound to answer any question that criminated himself, but to speak the whole truth.

2433. Do you know Mr. Howes?—Yes.

2434. Did you not send word to him that he might sign the petition for you?—I did not.

2435. Do you recollect the vote-money?—Yes.

2436. What vote money had you?—Two guineas.

2437. From whom?—From Mr. Prentice.

2438. When did you get it?—That I cannot say.

2439. Where did you get it?—At Mr. Morphee's.

2440. How many were there then?—That I cannot say.

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2441. About how many?—I cannot say.

2442. Give a guess?—There might be half-a-score.

2443. When you were there?—Yes, I was in the kitchen.

2444. Tell the Committee who let you know that the money was to be paid there?—Mr. Prentice.

2445. Did he call upon you?—He sent word by my daughter.

2446. Did you go in consequence in to Morphee's?—Yes.

2447. When you got there whom did you see, and how did you get your money?—I was in the kitchen and they sent word in from the parlour for me to go in, and I went.

2448. Was this at the Feathers?—Yes.

2449. Whom did you see when you went to the Feathers?—I cannot say who it was I saw.

2450. Who paid you the money?—Mr. Prentice.

2451. How many were in the room then?—I cannot say how many there were.

2452. Was there anybody?—There were some people there, but to tell names I cannot say.

2453. Were there fifteen?—I cannot say.

2454. How many do you think there were?—I cannot say, I should not like to tell a story.

2455. Whom did you speak to about the two guineas, did you then get the two guineas?—Mr. Prentice offered it to me.

2456. What did you say to him?—I am sure I do not know.

2457. When you got into the room did he hand it to you?—He brought it to me as he sat in his chair.

2458. He got up from his chair and gave you the two guineas?—Yes.

2459. Did you see any other money?—No.

2460. Was there pen and ink?—I cannot say.

2461. No account?—No, I never had any but the two guineas.

2462. Not then?—Not at all, I could kiss the book upon it.

2463. How many tickets had you?—I cannot say.

2464. Had you twenty?—Twenty; I met them but four times, and I could tell the houses.

2465. Do so?—I met them at Mr. Burney's and Mr. John Garrard's.

2466. What house is that?—A Tom and Jerry shop; I do not know what sign it is.

2467. Twice you met them there?—No, once, and twice at Mr. Garrard's.

2468. Where was the fourth?—At the White Horse, Mr. Morton's, close against my house.

2469. How distant were those several occasions; when did you meet in November?—I cannot say.

2470. How long before the election?—I suppose a week; I will be bound to say that they were not more than a week.

2471. How many tickets did you get the first time?—I had no tickets, only a little beer.

2472. Who paid for that?—I cannot say.

2473. Did you?—I did not.

2474. What did you get the second time, no tickets?—No, we had not tickets.

2475. How came the party to give you drink, without your paying for it?—If a party gave me beer, I should drink it.

2476. You never paid for it?—No.

2477. Are you sure you had not more than two guineas?—Yes, I could kiss the book; I gave my vote like a man.

2478. You voted Red?—Yes, and will again; I never turned my colours; I always stood free, and always gave my vote like a man.

2479. Did you vote in 1832?—I cannot say how long it is.

2480. Did you vote immediately after the Reform Bill, when the 10*l.* householders first voted?—Yes.

2481. You voted Red at the election before?—Yes.

2482. At many elections have you voted?—Yes.

2483. Did you vote Red both times?—Yes, I did.

2484. How long before you received the two guineas had you expected to receive it?—No, that never was mentioned; I expect that was for loss of time.

2485. You must have expected to receive it?—No.

2486. When

2486. When did you first know that you would get two guineas by going to the place where you received it?—I was ordered to go there; and I cannot say how long it is back.

2487. Did you go the day you were told by your daughter?—I was told on the Saturday to meet Mr. Prentice on the Monday.

2488. Had you no expectation that you would receive the two guineas, before you were told of it by your daughter?—I took the two guineas after I was told to take it.

2489. But you never expected to get two guineas till you received a message on Saturday?—No.

2490. Did you expect to be paid for loss of time?—No, I did not expect about it.

2491. There was no promise of it?—No.

2492. Did you ever hear that the Blue party did not mean to pay the two guineas?—That I know nothing about.

2493. Would that have made any difference in the way you voted, whether they paid or not?—No, I knew nothing about it; when I had the order to take it, I went and took it.

2494. Had you your two guineas in 1832?—I cannot say.

2495. In the first election you voted; did you get your two guineas?—No, I had not any thing then.

2496. How was that?—I do not know.

2497. Had you been given to understand that you should have the two guineas before the election?—No, I did not know any thing about it on the Saturday; my daughter said, father, Mr. Prentice told me to tell you to meet at Mr. Morphee's, on the Monday night.

2498. Did you see Green, the publican, present at this meeting, where the two guineas were paid?—No, he was not there.

2499. Are you quite sure?—I am sure of it.

2500. Was Mr. Prentice there?—Yes.

2501. Was Prentice present at all the four meetings you had?—That I cannot say, exactly; he was along with us at Mr. Garrard's twice that we were.

2502. Was he in the chair?—I cannot say whether he was in the chair or not, but I think he did not sit in the chair at all; I think that he sat upon the forms that were drawn round. I came up to speak the truth, and I will speak the truth.

2503. You are quite sure you never gave any man authority to sign the petition for you?—No, I did not.

2504. Did you ever give Howes any authority?—No, I did not; that I am clear of.

2505. Did you ever see the petition?—No, I did not see any thing about it till the order was given me.

2506. Were you ever asked to sign that petition?—No.

2507. Did Prentice never ask you?—No, he did not.

2508. Did he ever tell you that there was such a petition?—No, I did not hear a word about it.

2509. Did you hear at the time that there was any such petition in circulation for signature?—No, I did not.

2510. That you mean solemnly to assert?—I can do it.

2511. When you heard that your name was signed, what did you do?—I did not know any thing about it till I was led on Saturday to go on the Monday.

2512. You knew about the petition?—No, I knew nothing about the petition; I heard about it afterwards, after the money was paid, but not before.

2513. Did you ask where it was?—No, it was talked about, the same as other things were talked about.

2514. Do you know whether there was a petition about, to which your name was added?—I do not know any thing about it.

2515. Are you aware whether your name was put to any such petition?—I am not.

2516. Do you know, in fact, that there was such a petition?—I heard it afterwards.

2517. You are well satisfied that there was such a petition?—I heard it afterwards; I cannot say who it was spoke of it.

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2518. Who was it?—I do not know; I did not think any thing about this; those two guineas were paid; there was no deception; it was talked about; I thought it was what was right.

2519. Were you at all surprised when you were ordered to get the two guineas?—No, I was not, because I did not understand it; I thought it was for loss of time; and I am sure I lost more than that.

2520. It is a matter of notoriety in Gorlestone that such petition was signed?—I cannot say; 'tis only what I heard people talk of; who it was told me I do not know.

2521. Did you see at the places where you got the beer, Blues, or only the Red party?—No, only the Red party.

2522. How did they know that you were not a Blue?—I never turned my colours.

2523. Would they have turned a Blue out if he had gone in?—That I do not know, that there was not a Blue among us.

2534. Did any man stand at the door to see who came in?—That I do not know who stood at the door.

William Prentice, called in; and Examined.

W. Prentice.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself; but in every question he did answer he was bound to tell the truth, and the whole truth.

2525. WHERE do you live?—South Town.

2526. What are you by trade or profession?—Builder.

2527. Have you any objection to speak the whole truth?—The noble chairman has given me liberty not to answer any question that criminates myself.

2528. Do you know any thing of the man who has just left the room, Woods?—Yes.

2529. Have you had any thing to do with him relative to vote-money?—I expect that that is a question I am at liberty not to answer.

2530. Do you object to that question?—I do.

2531. Do you object to answer it?—I must decline answering it.

2532. Do you know a man of the name of Stevenson?—Yes.

2533. Are you willing to state your communications with Stevenson about this matter?—I am not.

2534. Do you object to answer the questions as to Stevenson, of what passed between you and him?—Yes, I decline.

2535. Do you know a man of the name of Burgess?—Yes.

2536. Are you willing to state what passed between you and him?—I do not know that any thing has passed between us particularly.

2537. Will you state what passed between you and him; did you say to Burgess, at any time, that you did not know, or words to this effect, how to make an offer to so respectable a man as he was; but would five pounds be of service to him?—I do not think I ever said so; I do not, upon my honour.

2538. Will you state upon your credit that you did not state so?—I do not think I ever said so.

2539. Will you deny that you said so?—I believe that I did not say so; I would not, on my oath, deny it. I might, when I was busy in the election, make such a remark, but I will swear that I do not know that I did; but I will not swear that I did not make such a remark.

2540. Is not Burgess a man of character?—A very respectable man, I always esteem him so.

2541. Would you not believe yourself what Burgess would state?—I never had any reason to disbelieve him.

2542. You will not deny that you offered him *5l.*?—I do not recollect that ever I did; but I will not swear that I did not.

2543. You are not asked whether you paid any money to any person, or what you did with any money you got; but did not you receive money from somebody connected with that election?—Of course I must say as I did before, that I decline to answer.

Chairman.]—The Committee are of opinion that you must answer.

2544. Did not you receive money from some person connected with the election?—Yes, I did.

2545. How

2545. How much?—I do not know.

2546. State as near as you can?—I have no idea at all.

2547. Do you know whether it was a shilling or a hundred pounds; was it between those two sums?—Of course there were several necessary expenses that I must have received money for.

2548. How much did you receive in all?—It might be 100*l.* altogether, I cannot say.

2549. Was it more?—It might be more, I cannot say; not much more, I should think.

2550. Was it 200*l.*?—I think not.

2551. How near to 200*l.*?—I cannot say, I have no memorandum to go by; and the thing has gone so far past, and I never expected to be asked about it.

2552. How long is it?—Six months, since the election.

2553. Have you not received any money since the election in April, or May?—I do not know that I am obliged to answer that.

2554-5. His Lordship and the Committee have decided that you should answer that; it does not criminate you; you may innocently receive money from any person?—If I criminate my friends, that will be as bad as criminating myself.

2556. Is that your reason for hesitating?—I did receive money for expenses that I incurred during the election.

Chairman.]—The caution applies to answers that criminate yourself.

2557. Is your hesitation your fear of criminating others?—I have said that I received money; but as to the time, I do not know.

2558. How long ago, as nearly as you can tell?—I cannot say.

2559. You cannot approach it at all?—I cannot say any thing as to time.

2560. Not a word as to time?—No.

2561. Have you no idea; was it last week?—No, that I can say.

2562. Was it the week before that?—No.

2563. Was it before this petition was presented by the Union for the Ballot?—I have not received any thing since that.

2564. How long before that; that enables you to say that it was not within a month?—It must be a month ago that I received any.

2565. Was it two months ago?—Yes; I should think rather more than that.

2566. Was it three months ago since you received the last sum you received?—Yes; more than that.

2567. When was it; as you are enabled to say that it was more than three months ago; state how long it was; you know it was more than three months?—I cannot say when it was.

2568. How much do you now say it was that you received; will you now say it was between one and two hundred?—I do not know what it was; I have no memorandum.

2569. Have you received money to disburse, and kept no memorandum of how you applied it?—Yes; what money I received, was to defray the expenses of coachmen, and various expenses.

2570. Did you apply it to the purposes for which you received it?—Of course I did.

2571. Do you recollect the purposes to which you applied it?—Yes.

2572. Did you apply it honestly for the purposes for which it was given?—Of course I did; I never was accused of dishonesty.

2573. Were the parties from whom you received the money satisfied of your application of it?—I never heard any thing to the contrary.

2574. Did you report to them how you had applied it?—Of course I had to give some sort of an account.

2575. Did you give an account?—I did not want to give much of an account, because they knew what it was for; there was no regular account; they knew the purposes that it was applied for, for colourmen and many other purposes.

2576. Was there no regular account given?—No; they did not want it.

2577. Who made out the account that was made out?—What account was made out was made out by myself.

2578. Whom did you give it to?—Am I obliged to answer that question, my Lord.

2579. Who did you give the account to?—To Mr. John Lacon.

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2580. Which of the Mr. Lacons is that; is that the son of Sir Edmund Lacon of the bank?—Yes.

2581. Is that the Mr. Lacon?—Yes, that is the Mr. Lacon.

2582. To whom you gave the account?—Yes.

2583. State as nearly as you can the amount of the money; have you not that in your mind?—No, I have not; I am not to be supposed to keep the account in my mind.

2584. Cannot you state nearly how much it was?—I cannot say that; I do not know.

2585. Not whether it was more than one hundred or less than two; will you state that, after having said that it was more than one, or might be?—If it was more than one, it was less than two.

2586. Have you not said that it was more than a hundred?—I believe it might be.

2587. Was it nearer two hundred than one?—It might be; but I cannot state the sum.

2588. Do you believe that it was between one and two hundred?—Yes.

2589. Do you believe that it was not more than two hundred?—Yes.

2590. Do you believe that all the money you received at different times might not amount to more than two hundred?—Yes, I believe it did not.

2591. How often have you received money?—I cannot say; I defrayed a great deal out of my own pocket, and after the thing was over was reimbursed, which I had a right to be.

2592. After what was over?—The election was over.

2593. You paid a great deal out of your own pocket?—Yes.

2594. Where did you go to replenish you for the money which you did not defray out of your own pocket; you say that you spent between one and two hundred pounds, nearer two hundred than one; where did you receive that; was it all from one person?—No, I do not know that it was.

2595. Was it or was it not?—There was money for different purposes.

2596. Was it all from one person?—There was some for tickets before the election, and so on; that was a subscription amongst the gentlemen that I received of another individual.

2597. Who was that individual?—I think that was Mr. Barker.

2598. What is his christian name?—I do not know, I am sure.

2599. Where does he live?—In Yarmouth.

2600. Do you mean Barber the runner?—No.

Mr. *Lacon* was asked whether he had produced the books and accounts which he had been summoned to produce. Mr. Lacon stated that he being a defendant, had not; but that all the books and papers which might be required by the Committee would be produced by his partners.

Mr. *John Edward Lacon* was Examined as follows:

Mr. J. E. Lacon.

2601. DID you receive the account of which the last witness has spoken?—As I consider myself a defendant in this case, I refuse to be a witness.

2602. *To Mr. Prentice.*] You stated where you got some of the money from; from Mr. Barber; which Mr. Barber is this?—I do not know what his christian name is.

2603. What is his trade?—He is a clerk of Mr. Ranney.

2604. Where does he live; what is he?—A solicitor in Yarmouth; that was a subscription among private gentlemen; who they were I do not know.

2605. Where did the remainder of the money come from?—What remainder?

2606. You have said you had from one to two hundred pounds, nearer 200*l.* than one; where had that come from?—I stated that Mr. Lacon gave me some, and the other I had from Mr. Barber.

2607. Which Mr. Lacon gave you the money?—This Mr. John Lacon here; but I think that I ought to take the same broad ground that Mr. Lacon does; I think you act very unfairly in examining me; had I heard the witnesses, I might have proved it very differently; I do not think I shall be justified in going on if you question me in this way.

2608. The Committee wish to get the truth of you, and so much as will not tend to criminate yourself; did you not get some money besides that from Mr. Barber

Mr. Barber and from Mr. Lacon?—I do not know that I am obliged to state that. Mr. *J. E. Lacon.*

2609. The Committee have said that you are bound to tell?—I do not know that the Committee are bound to know where I got all the money that I spent. 30 July 1835.

2610. The question refers to that one or two hundred pounds of which you have been telling the Committee something; whom else did you receive from besides Mr. Lacon, jun. and Mr. Barber?—I do not know that I received any of any body else.

2611. Will you declare that you did not?—I cannot declare any thing about it; the thing has passed so far out of my mind, that I cannot be supposed to answer any frivolous questions of that kind.

2612. Will you state that you did not receive a portion of that money, one or two hundred pounds from some other gentlemen than Mr. Lacon or Mr. Barber?—No, I will not.

2613. Do you believe that you did receive it from others?—I do not know that I am obliged to answer that question.

2614. You are bound to answer that question; do you not believe that you received it from other persons?—I cannot tell any more.

2615. Cannot you state what you believe?—I dare say I can.

2616. Do you believe that you received it from others, the question is not how you applied it?—I do not know that I have a right to be questioned at all, and I hope the noble Lord will protect me.

Chairman.] I differ from you in that view, you are placed here as a witness and must answer, you cannot change your character?—All this is to induce me, one way or the other, to criminate myself.

2617. Do not you believe that you received it from somebody else besides Barber and Lacon?—I did receive money besides that no doubt, for I am in the habit of receiving money from many people.

2618. The question is about the one or two hundred pounds; state honestly whom you received that money from?—I do not feel disposed to answer any further upon that; I do not think I am entitled to it; I shall throw myself upon the mercy of the noble Lord and the Committee.

2619. The Committee decide that you are bound to answer, and if you refuse to answer you take upon yourself the responsibility of not answering, and the Committee will take such measures as they think fit for enforcing its orders; consider after that whether you will or will not state from whom you received it, think before you answer?—I received none of any account but that, and that is what I was justly entitled to, and that would not do any harm to anybody.

2620. Will you state from whom you received that sum of one or two hundred pounds of which you have been speaking, and do not answer away from the question, because the Committee will make up their minds shortly?—I think in the situation in which I am placed I have no right to answer this question, and that I now refuse to answer.

2621. That you do deliberately and upon reflection?—Yes.

2622. Were there not others who gave you money besides Lacon and Barber?—I give the same answer as I did before.

2623. That is, that you will not answer the question?—No.

The committee-room was cleared.

After some time the parties were again called in.

William Prentice, was again called in.

Chairman.]—I am instructed by the Committee to inform you, that it is the opinion of the Committee that you are obliged to answer the question that has been put to you. I should wish to know whether upon that opinion being communicated to you, you decide to answer the question?—I must beg respectfully to decline going any further. *W. Prentice.*

2624. Before you make up your mind upon that subject, I am bound to explain the probable course that will be taken if you take that objection. I shall be probably instructed by the Committee to report the circumstances to the House. It is not for me to say what course the House will take upon that report being made to it, but I should presume that the House will order you to the

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bar, and there inquire into the grounds of your objection, and form its decision upon it?—My Lord I must throw myself upon your protection.

2625. As far as it goes it is the opinion of this Committee that you ought to answer this question?—I must leave it entirely in your hands.

2626. Do you, after the statement made by the noble chairman, absolutely and positively refuse to answer that question?—Yes; I should rather adhere to my determination; I think it has placed me unfairly; it is placing me, as an humble individual, in a very unfortunate situation, and I know the aim is to make me criminate myself in the end, and I do not choose to go any further.

2627. The question was not one to criminate yourself?—It does not exactly, I am aware.

The Witness was desired to retire with the Agent against the petitioners, and consult with him whether he should answer the question.

After a short time, William Prentice with the Agent against the petitioners appeared.

2628. Will you state what determination you have arrived at?—I have consulted with the agent.

2629. What is your determination?—I intend to adhere to my former determination.

2630. Do you, after having had time given to you for reflection, adhere to the opinion you have already expressed to the Committee?—I do.

2631. Have you taken advice?—I have taken the advice of a friend on the subject, and he told me what would be the probable consequences, as well as the noble Lord in the chair; and after all I believe that the questions will tend to criminate myself, and I refuse to answer; and I adhere to my former determination.

2632. On the ground that those questions will tend to criminate yourself?—Yes, that is my sole and whole ground; I am unacquainted with things of this sort, and I must throw myself on the mercy of the Committee.

The committee-room was cleared.

After some time the counsel and parties were called in and informed, that the Committee had come to the resolution "That the Chairman be directed to report to the House, that the Witness, William Prentice, in his examination this day before the Committee, has refused to answer a question put to him by the Committee, on the ground, as he asserts, that his answer would tend to criminate himself, although the Committee had previously informed him that he was bound to answer such question."

William Hatch, called in; and Examined.

William Hatch.

2633. WHAT are you?—Butcher by business.

2634. A voter for Yarmouth?—One of the 10*l.* householders.

2635. Have you received any tickets?—Yes.

2636. How many tickets have you received?—I do not know exactly how many I have taken; there was a half-crown ticket three times, and a 5*s.* ticket, and a 10*s.* ticket.

2637. Tell the Committee how many tickets you received?—Four.

2638. How much?—For drinking at the time of the election.

2639. How much money; what was the price of the tickets?—Half-a-crown, 5*s.* and 10*s.*

2640. How many half-crowns?—I believe two or three; I do not know which.

2641. How many 5*s.*?—Only one.

2642. One 10*s.*?—Yes, the first day of the election.

2643. Whom did you get them from?—From the committee, I believe; or from the people that went about to distribute them.

2644. How did you vote, Red or Blue?—I voted for Baring and Praed.

2645. How long before the election did you get your first ticket?—When I gave my vote, I received a half-crown ticket, and went and spent it.

2646. Did you not receive any before you voted?—Oh, no.

2647. None before you voted?—None at all.

2648. How soon after you voted did you get your tickets?—I had them in the course of the time; the two or three days during the election.

2649. Do

2649. Do you know who gave them to you?—Not very particularly I do not.

2650. Who not particularly?—There was a committee appointed on purpose to carry those tickets about, where we spent the money; I spent mine at the Jolly Tar.

2651. Who gave it you?—Mr. Francis gave me one.

2652. Who else?—A man of the name of —— I forget his name.

2653. Can you tell any body else?—Neeve the fishmonger brought in a ticket and gave to the company there; he gave it to Francis, and they spent the money there the same as I did.

2654. On the morning of the first day of the election, who called upon you?—I went up and polled at the booth.

2655. Who saw you on the subject?—I went up with several people.

2656. Did you see Mr. Costerton?—No.

2657. Did he call upon you at any time?—He never called upon me at all.

2658. Mr. Francis?—Mr. Francis and I went up together.

2659. Tell these gentlemen what took place between you and Mr. Francis?—

The Chairman informed the Witness that he was not bound to answer any question to criminate himself, but that he was to speak the whole truth.

I received 4*l.*

2660. Whom did you receive it from?—Francis gave it to me.

2661. Tell the Committee what passed between you and Francis before he gave you the 4*l.*; how came he to give you 4*l.*?—That was an agreement between him and me.

2662. Where did you make that agreement?—At my own house.

2663. He called upon you?—He called upon me several times.

2664. Tell the Committee what he said upon the first occasion when he called?—He wished me to vote for the Reds, Baring and Praed, and make his house my home at the time of the election.

2665. What was Francis's house; did he keep a public-house?—Tom and Jerry.

2666. Was that all that passed on the first occasion; did you promise your vote then when he first came?—I cannot say that I did not.

2667. When did he call a second time?—The very day that Mr. Praed came himself and Mr. Baring too; but I never spoke to Mr. Baring, neither did I say very little to Mr. Praed.

2668. Who came with him?—There were several gentlemen in Yarmouth; I cannot exactly say who.

2669. Was Francis one of them?—No.

2670. Did not Francis come with Mr. Baring and Mr. Praed?—No.

2671. When did Francis come alone, shortly after Mr. Baring and Mr. Praed, or before?—Shortly after, and some time before.

2672. Had you, previously to their calling, promised Francis?—No.

2673. What did you say to him when he asked you?—I was agreeable to do so.

2674. What did you say; how did you tell him that?—I told him that I would vote for Baring and Praed.

2675. Was there any talk about the 4*l.*?—No.

2676. When did he first mention the 4*l.* to you?—The second time he came to my house.

2677. On the second occasion?—Yes.

2678. Tell the Committee how he introduced that to you?—He offered to give me so much money if I would vote for Baring and Praed.

2679. How much did he say he would give you?—I was agreeable to go.

2680. Was there any dispute about the quantity you were to have?—No dispute.

2681. How much did he say he would give you?—Four pounds.

2682. Did he offer 4*l.* in the first instance?—Yes.

2683. Did you accept it directly?—Yes,

2684. Did you ask for any more?—Yes, I did.

2685. Tell the Committee what passed?—He could not afford to give any more.

2686. How much did you ask?—Six.

2687. No more?—No.

2688. That

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2688. That was a promise; how long before the election?—It might be a week.

2689. Did he call after that second time, and before you polled again?—He was afraid of losing of me; he came when he saw Anson and Rumbold come to my house; then he did not say much to me.

2690. What do you think he came for, to confirm your promise?—Yes; I told him I should stick close to him.

2691. Had you received the money then?—No.

2692. Then he called two or three times, did he, after the time you had agreed to receive the money?—Yes; we do not live one hundred yards from each other.

2693. On the morning of the election you saw him?—Of course we went up together.

2694. What passed then between you, about his going up and seeing you poll?—We had a glass of rum a-piece, and not only that, but I objected polling till I got my money.

2695. Tell the Committee all the conversation that passed then, and how you got the money?—I went to the Feathers, and took the money, and got a glass of rum.

2696. When you got to the Feathers, who did you see there?—There was a room full of people, of one sort and another; fishmongers, and so on.

2697. Did he pay you at the Feathers?—I was paid at the Feathers; not exactly at the Feathers, but at the Feathers door, and then I came up to the poll.

2698. When he paid you, you then went up to poll?—Yes.

2699. How far is the Feathers from the polling-booth?— Not a couple of stones throw.

2700. Were you behind the polling-booth then, as you stood near the Feathers?—It is at the back of the polling-booth.

2701. Had you been up to the polling-booth together, for the purpose of his getting you to poll; and then did you return from the polling-booth to the Feathers, to get your money?—I refused polling without the money.

2702. You had gone part of the way to the poll before you got your money, and then you refused, and went back again?—Yes.

2703. You went to the polling-booth with Francis, when you got there you wanted the cash?—I would not go and poll without.

2704. That was the reason that you returned to the Feathers?—Yes.

2705. Did he speak to any body when you got to the Feathers?—No.

2706. Why did he not pay you without going to the Feathers?—I suppose if I polled, he thought I might whistle for the money.

2707. What did he say was the reason of going back to the Feathers?—I told him I should not poll without the money.

2708. Did he say he must go to the Feathers to get the money?—No; I asked him to go, and I said we will have a glass of rum a-piece.

2709. And then you went to poll?—Yes.

2710. Had he the money about him?—Yes.

2711. And when he gave you the money you polled?—Yes, and went home.

2712. How soon afterwards did you get any more money?—I have received the two guineas.

2713. How long was that afterwards?—A month.

2714. Who told you to go and receive the vote-money?—They were paying other people, and I went and got mine as well.

2715. Where did you go and get yours?—To Mr. Green.

2716. Did you see Green?—Yes, and he paid me.

2717. You stated that on the first day of election you received a 10*s.* ticket; was that so?—Yes.

2718. You are quite certain you received a 10*s.* ticket on that day?—Yes.

2719. You continue that answer that you received a 10*s.* ticket on the first day of the election?—Yes.

2720. You have said that Mr. Francis called upon you one day, and asked you for your vote, and you promised him your vote?—Yes.

2721. The first time he came?—Not the first time exactly.

2722. You stated the first time he came you promised your vote?—I told him I dare say I should.

2723. Did

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2723. Did you not tell him that you would?—Not exactly I did not.
2724. Was it one ticket or two amounting to 10*s.* that you received?—There was half-a-crown two nights, and a 5*s.* ticket one night, and Mr. Lacon came in and gave us 1*s.* a piece besides.
2725. Which Mr. Lacon?—Young Lacon.
2726. Is he the banker's son?—Yes.
2727. Sir Edmund's?—No, Mortlock Lacon's son, I think; a young man who has been to sea.
2728. You have been speaking about a 10*s.* ticket on the morning of the first day of the election?—Yes.
2729. Was that one ticket or two?—One.
2730. That you feel pretty confident of?—Yes.
2731. Was that the day of nomination?—The day of polling.
2732. You call the first day of the election the first day of polling?—Yes, the first polling day.
2733. Did you poll on the first day yourself?—Yes; I had no tickets afterwards.
2734. You did not receive that 10*s.* ticket till you had polled?—No, I did not; I spent it at Mr. Francis's.
2735. Did you receive a 10*s.* ticket on the day that you voted yourself?—I had not a ticket; but some of them took the money, and I did not; I took the ticket and spent it at Francis's.
2736. At what time of the day did you get your ticket?—It might be one or two o'clock in the afternoon, or it might be twelve o'clock.
2737. Was that before or after you had polled?—After I had polled.
2738. Did you sign any petition of the 10*l.* householders to receive the vote-money?—No, I never signed any petition.
2739. You are a 10*l.* householder, are you?—Yes.
2740. What rent do you pay for your house?—Three pounds a quarter; but I stand as good as 16*l.* a year rent and taxes.
2741. Do you pay 3*l.* a quarter?—Four pounds a quarter rent and taxes; I stand nearly 12*l.* rent.
2742. You mean to say that you pay 3*l.* a quarter rent?—Yes, setting aside the rates.
2743. Are you a freeman as well?—No.
2744. How long have you been an inhabitant of Yarmouth?—Better than 20 years.

Mrs. *Ann Breeze*, called in; and Examined.

Mrs. *Ann Breeze.*

The Chairman informed the Witness that she was not bound to answer any questions that might criminate herself.

2745. WHAT house do you keep in Yarmouth?—The Rose, in King-street.
2746. Was that a Red house during the election?—Yes.
2747. Will you state to the Committee who engaged your house?—It was not engaged by any one.
2748. Did you receive tickets?—I did.
2749. How many tickets?—I cannot say.
2750. How many do you suppose?—I do not know; I am sure I did not keep any account.
2751. As nearly as you can state?—I cannot say, because I did not keep any account.
2752. What were those tickets for?—They were returned in refreshment.
2753. If any man brought a ticket of that kind, he received at your bar, or from your house, as much as that ticket represented, did he?—Yes.
2754. That ticket afterwards was a voucher to you for money?—Yes, I thought I should be paid again.
2755. Did you take your ticket as a voucher without an arrangement with any body?—I took them as my neighbours did; I found butchers and all descriptions of persons were taking them; I did not know whom I was to look to for payment, but as my neighbours took it I took the same.
2756. How many in the end do you suppose you took?—I cannot tell.
2757. Tell as near as you can?—I cannot, for I do not at all remember what quantity I took.

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2758. How much in amount were they?—I would willingly answer if I could recollect, but I do not think that I can; if you will give me a little time I will endeavour.

2759. Was it five, five hundred or five thousand?—It was nothing like that.

2760. Was it 200*l.*?—Was it 10*l.*

2761. Was it 10*l.* then?—It might be, but I should think it was not much over or under.

2762. Was it between ten and twenty?—It might be between that.

2763. Is that your belief?—Yes.

2764. That it did not exceed twenty?—Yes.

2765. Did you take 20*l.* worth?—I do not think it was that sum, but under that sum.

2766. Did you take all those tickets upon the faith that somebody would pay you?—Yes, or at least that I should be paid.

2767. Did you make any entries in your books?—None whatever.

2768. Have you those tickets at home?—No, not one.

2769. What did you do with them?—I was paid for them.

2770. Who paid you?—Am I bound to say who paid me.

Chairman.]—It is not, I should think, a question that criminates you?—A gentleman of the name of Aldred.

2771. Had he spoken to you at all about those tickets previously?—Not at all.

2772. How was it that you went to Mr. Aldred for your payment?—I did not go to him.

2773. He called upon you?—Yes.

2774. What did he say?—He asked me if I had had any tickets, and he took my tickets what I had and gave me the money and said nothing.

2775. Did you ever see him at your house during the election?—No, I do not think that I did.

2776. Mr. Aldred, you say, merely asked you for your tickets and paid you the money?—Yes.

2777. How did he pay you; in what money; a 15*l.* note?—I never took a 15*l.* note of him; I was paid for them what I had in the day.

2778. Every day?—Yes, he used to call every day, and took them; I did not know that I was doing wrong.

2779. He called and took them daily?—Yes,

2780. What did he take daily?—I cannot tell, in the hurry of business.

2781. You merely took those tickets from the belief that the tickets would result in cash, whoever had the possession of them?—Yes; I thought that somebody would call and pay them; I understood that there was a subscription to give the men a treat, it was in Christmas time.

2782. Did you continue to take tickets from the Christmas time up to the day of election?—I cannot say.

2783. Do not you believe that you did?—No.

2784. When did you cease to take tickets?—On the New Year's day, I think that was the last, as he called every day and paid me my money; I did not make any thing about it, there they were to show, and there was my money.

2785. Had you any thing else to do with the election, or with the payment of money?—No.

2786. Did you receive any money from any body connected with that election, except the money for your own tickets?—No, I received no money from any one in the election.

2787. Never were employed to hold money for any body?—No, I was never asked such a thing.

2788. Which Mr. Aldred was this?—I cannot tell his sirname.

2789. What is his trade?—I think he is a doctor.

2790. Where does he live in Yarmouth?—In Regent-street.

2791. What is the number?—There is no number; it is a short street.

2792. Is there any other Mr. Aldred in that street?—No, only him.

2793. Do you recollect by whom those tickets were signed, and whether they all were signed by the same name?—That I cannot tell.

2794. Had you no doubt as to their authenticity; were there no scruples in your mind; did you not fear that some of them might be forged tickets?—No, I had no apprehension of the kind; others were doing the same, and I thought I should have the same chance they had.

2795. Therefore

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2795. Therefore you trust to what other people did?—Yes, I did in that.
2796. If you met a 5*l.* note, you would not, if others took them, ask as to the character of the bank?—Those things we generally know.
2797. Had you no doubt at all that those would be paid?—No.
2798. Had you any intimation to induce you to give value for them?—Not at all; since other people were taking them; I took them.
2799. Did you give liquor to the full value of them, or did you give any money?—I do not recollect that I gave any money; they took my goods.
2800. Your belief is, that you gave every body that had them the value in goods?—Yes.
2801. Your house was a Red house?—They made it a Red house; if the other party had sent me tickets, I should have taken them.
2802. They were for the Red voters?—Yes, I suppose so; any body that brought me one, I did not ask whether they were Reds or Blues that brought them; I took them.
2803. Were the tickets plain tickets, or were they coloured; were they printed upon Red or Blue paper?—I do not recollect.
2804. Have you no recollection of the circumstance?—No; my house is a house very much resorted to by chance customers; I took as much care of them as money, and I had money for them.
2805. Did you never look to see how they were signed?—No, I did not.
2806. Did you not say that you presented them at night?—No, I did not present them at all.
2807. What was the usual value of those tickets?—Half-a-crown.
2808. Any higher?—No, I do not remember that I had any higher.

William Howard Smith, called in; and Examined.

W. H. Smith.

2809. DID you go to Green's about the vote money?—I went there.
2810. Did you get your money?—I got two guineas from Mr. Green.
2811. Did you vote Red?—Yes, and never voted any other way.
2812. What are you?—I am agent and book-keeper.
2813. Are you a 10*l.* householder?—No.
2814. A freeman?—Yes.
2815. Do you live in your own house?—One that I hire.
2816. What is the rent of that house a year?—Seven pounds ten shillings.

Veneris, 31° *die Julii*, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON,
IN THE CHAIR.

The Committee-room was cleared; after some time the parties were called in.

William Gardner, called in; and Examined.

Wm. Gardner.

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2816*. WHAT are you?—A ropemaker.

The Chairman informed the Witness that he was not bound to answer questions that might criminate himself, if he took the objection.

I shall speak the truth; all that I speak must criminate myself.

2817. Do you take any objection to speaking what you know?—No.
2818. Are you a voter for the borough of Great Yarmouth?—Yes.
2819. How many times have you voted?—Once.
2820. Are you a freeman or a householder?—A freeman.
2821. Are you a householder?—No.
2822. Did you vote Red or Blue?—Red.
2823. Who canvassed you for your vote?—Mr. Praed and Mr. Baring.
2824. Will you state the names of those gentlemen who called upon you in the canvass, as well as you recollect?—Mr. Praed, Mr. Baring, Mr. Preston, Mr. Lacon.
2825. Which Mr. Preston?—Harbord Lushington Preston—young Sloman.
2826. What is his name?—I do not know.
2827. Is he a schoolmaster?—Yes.

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2828. Any body else that you now remember?—There were a great many.

2829. But you do not recollect the names of the others?—No.

2830. Did any of those gentlemen come in company with Mr. Praed and Mr. Baring?—Yes, the whole of them.

2831. Mr. Lushington Preston, Mr. Sloman and Mr. Lacon?—Yes.

2832. Which Mr. Lacon?—The gentlemen sitting there, and Mr. Swinton.

2833. Did anything pass then upon the subject of your vote?—They asked me which way I was going to vote, and whether I would promise them, and I told them no.

2834. Who were they?—I cannot say which one of them it was out of the whole of them.

2835. Were those gentlemen that you have named the gentlemen you are referring to as asking you for your vote?—Yes, Mr. Praed asked me for my vote; they introduced Mr. Praed.

2836. Which?—I cannot say who it was.

2837. Were Mr. Praed and Mr. Baring present at that time?—Yes.

2838. What did they say upon that occasion?—They asked me which way I was going to vote.

2839. State what passed on this conversation when those gentlemen were with you?—They asked me which way I was going to vote, and I told them that I did not know which way I was going to vote. They asked me whether I would promise Mr. Praed and Mr. Baring; I told them no, I should not; and I asked them if they would give me anything to drink; and they said yes, they would give me something if I would come down to Mr. Bammant's Green, I should be made comfortable, and have what I liked.

2840. Who told you that?—I cannot say who it was; I believe it was Mr. Praed; I am not sure.

2841. Was it said by one of the party that came with him, and was it so said that the whole of the party heard what passed?—Yes, Mr. Green was one of the party that was there.

2842. Was that all that then passed?—Yes, that was all.

2843. When did this pass?—It was pretty close to the election; it was not more than three days before the election it was two or three days before the election; I cannot say exactly the time.

2844. What next happened?—I went upon the Green.

2845. When did you go upon the Green?—The same night.

2846. When you were upon the Green, what then happened?—Mr. Preston, Mr. Harbord Lushington Preston came up, and gave me half a gallon of gin and beer. Bammant's is a public bowling-green, attached to the public-house.

2847. You went there?—Yes.

2848. What passed beside the drink which you have just mentioned?—I was talking along with Mr. Harbord Preston.

2849. What were you talking to him about, state to the Committee what passed between him and you?—I told him I should like to speak to Mr. Praed.

2850. Did you begin the conversation with him by saying you should like to speak to Mr. Praed?—No, he came and sat along side and asked me how I was; that began it.

2851. Tell the gentlemen what passed as near as you can recollect?—Mr. Preston came and asked me how I did, I told him I was very well, and should like to see Mr. Praed; Mr. Praed was on the Green but I never spoke to him that night.

2852. What did he answer to your expression of your wish to see Mr. Praed?—He did not say any thing.

2853. Was that all that passed?—Yes, I spoke to Mr. John Lacon.

2854. The same night?—That same night.

2855. State what passed on the bowling-green the first night you saw Mr. Lacon?—Yes, and I told Mr. Lacon that I should like to see Mr. Praed, and he said, well I could see him at the Star, and I went the next day to the Star.

2856. Before you go to the next day at the Star, did any thing pass at that time on the bowling-green with any body with any of the gentlemen that canvassed you?—No, I cannot say, if there is it has slipped my memory.

2857. How much had you to drink that night?—I do not know, I had a good deal to drink.

2858. Had you any tickets given you?—No.

2859. Did

2859. Did you pay for what you had yourself?—No.

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2860. Next morning state what happened?—I went on the quay, and I saw Mr. John Lacon standing against his bank.

2861. You mean the banking house?—Yes, and I told him that I wanted to see Mr. Praed, at least he knew that, and he took me to the Star; Mr. Praed was in; he came off the quay, and he told me that that was Mr. Praed, and I told Mr. Praed that I wanted to speak to him, and he said come up stairs Gardner, and I went up stairs, I followed Mr Praed, and I never saw any more of Mr. Lacon then, and in going up stairs I got up higher, I got too high up, I got into the bed-room where the servant was making the beds, and I told her that I wanted Mr. Praed, that I could not find him, and she said I must go down lower, and I should see it marked on the door, "Spy;" I cannot tell the meaning of it, but that was what it was, and I saw it there, and I opened the door and went in, I knocked first, and Mr. Praed said come in, and Mr. Praed was writing, and I told him what I wanted.

2862. State distinctly what did pass, and be careful to state nothing but what passed?—I told him I wanted ten sovereigns.

2863. When you went into the room, were those the first words that were uttered?—I cannot tell what was first uttered, but I asked him for ten sovereigns, I cannot tell to a word or two, but I believe I first asked him, and he said he would set me down seven; I had mentioned it to him before.

The Committee inquired whether notice had been served upon Mr. Praed of an intended charge against him; Mr. Ashurst stated that it had not, he supposing that Mr. Pritt appeared as agent for Mr. Praed, and also that he felt a delicacy in giving notice to the sitting Members until the evidence was produced before the Committee.

The committee room was cleared.

After some time the parties were called in and informed that the Committee had resolved that the examination of William Gardner be proceeded with immediately, and that notice to Mr. Praed be served forthwith by the agent of the petitioners; and the Committee are of opinion that the agent of the petitioners ought in conformity with the letter and spirit of the resolutions to have given notice to Mr. Praed, and they desire to express their surprise and regret that that course was not pursued.

William Gardner, called in; and further Examined.

2864. He said he would set you down 7*l.*, and you said you had mentioned it to him; to what are you referring when you say you mentioned it before; when?—I cannot say the day, but I had mentioned it.

Wm. Gardner.

2865. When and where?—On the Twine-walk; he had been a great many times; I would not promise him; that was the reason he came down so many times.

2866. Do you remember at any time what passed when you spoke to him upon the Twine-walk?—No, I do not remember any particular words, only I told him I should like to have some money, as there would be a great deal of it going on.

2867. What did he say to that?—He never made any particular answer.

2868. Do you recollect any other instance in which you had mentioned it to him before?—No.

2869. Go back in your mind to the time when you are speaking of, in the room marked "Spy?"—I left it after then; I did not want anything else, and came home in the night; I went for my half-crown ticket.

2870. Where?—To Mr. Green's.

2871. The same night?—Yes.

2872. Was Green one of those who had canvassed you?—Yes.

2873. When you got to Green's, did you see any body there?—I saw only freemen that were billetted at that house; there might be twenty or thirty.

2874. Billetted?—Yes, they were quartered like soldiers.

2875. How many might there be there?—There might be twenty or thirty, or more.

2876. How many tickets did you get that night?—I did not get any tickets at all; I sat and drank as long as I thought proper, till twelve or one o'clock in the morning; then I had 2*s.*

 2877. From

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2877. From whom?—From Green himself.

2878. What was that 2*s.* for?—That was the 2*s.* ticket; Mr. Green had the tickets; they were for the tickets; it was a half-crown ticket, and 6*d.* was paid for what we had, 6*d.* each; and then I gave him the ticket, and Mr. Green gave me 2*s.* change.

2879. Did you get a ticket then?—Yes.

2880. From whom?—From Mr. Green.

2881. When?—The same night, in his house.

2882. When you went in?—Yes.

2883. What passed when you went in?—Nothing, only Mr. Green brought the tickets round.

2884. To whom?—To the whole of us.

2885. When you went away, did you go into the bar, or what did you do with that ticket?—I sat in the room, and at about eleven o'clock, Mr. Green came and gathered the tickets, and gave us 2*s.* all round, and took the tickets.

2886. Was that all that then passed there?—Yes.

2887. What happened next?—I went again the night after; that was the Christmas eve, I believe, and I got another ticket in the same manner.

2888–9. Did you on that occasion receive a ticket from Green?—Yes.

2890. Was it from Green the father, or any other Green?—It was from Mr. Green, the father.

2891. Did any thing pass on that night, besides getting your tickets?—No, Mr. Praed and Mr. Fyson came in.

2892. What is Mr. Fyson?—A linen-draper.

2893. How soon did they leave?—Mr. Fyson stopped two or three hours; Mr. Praed did not stop half an hour, or a quarter of an hour.

2894. Did you get any money that night for the ticket?—Yes, I got the 2*s.* as before.

2895. When did you go again?—I had but one more; I think it was the Monday night again; I had three tickets altogether; I had 2*s.* for each ticket.

2896. And drank on each occasion?—Yes.

2897. You spoke just now of billetting?—That was at the house which they were at.

2898. How did you know where you were to go to get drink?—Because I was ordered to go there out of the committee-rooms; I was put on Mr. Green's list.

2899. Did you learn in the committee-room from somebody, that you were on Green's list?—Yes, I saw my own name on the list.

2900. In whose hands was that list, when you saw it?—Mr. Green's hands himself.

2901. Who else was present?—I dare say there were 30 or 40, or 50 in the room.

2902. Do you recollect any body particularly?—No, only the freemen; I cannot say that I remember any particularly.

2903. Was there any person acting as clerk?—Yes; but I do not know who he was.

2904. Have you seen him since?—No; I did not take so much notice to know him if I did.

2905. Who acted as chairman at Mr. Green's?—There was no chairman there.

2906. Was Fyson there on each of the nights?—Yes.

2907. What was on the ticket?—"Refreshment Ticket, 2*s.* 6*d.*" that was all that was on, "William Gardner," at the bottom, in writing.

2908. Do you know who printed that ticket?—Yes, Mr. Sloman; that was on the bottom of the tickets; I believe I have one of the tickets at home, at least I have half a one, if I have not a whole one.

2909. On the morning of the first day of the election; carry your mind to that?—I must go to the night of the nomination.

2910. Something happened then, did it?—Yes.

2911. What happened?—I went and got my breakfast at Mr. Green's on the morning of the nomination; that was the day before the election; the Monday morning I am pretty sure it was.

2912. Had any thing passed previously with any body, about your going there to breakfast on that morning?—Yes; I knew all about going there.

2913. Who had told you?—I heard the freemen say at the house, that there was to be a breakfast before they went to the nomination, and that was to make

us strong, to give us refreshment; there was a strong body of the Blues as well as the Reds; if any thing happened, then we must stick to the party.

2914. When you breakfasted, what was done; have you any thing more to state?—I went to the nomination on the hustings, and I came from there to Mr. Green's again, after the nomination was over; and I was at Mr. Green's, I believe till seven or eight o'clock; my mother was there, my wife was there, my sister was there, and I rather think my brother-in-law, but I am not certain.

2915. What is his name?—Johnson.

2916. Do you mean your own mother?—Yes.

2917. Is her name Gardner now?—Yes, and we had all that we could drink; we had porter and rum and water, and gin and water, and cheese and bread, and all that we could eat and drink.

2918. How long did you stay?—We did not stop, I should think, not more than three hours, because there was a man came in of the name of Bowles, he said that I had been drinking with the Blues all the day, and came drinking with the Reds at night; and I said if I had, I would go with the Reds to-morrow; and I went out, and Mr. Green came running after me, and told me to come back again. I said I would not, and he asked me what was the matter with me; I told him I did not like such language as that, and he asked me if I would not come to breakfast in the morning. I told him no, I would not, and he asked me the reason; I told him I had to go to Rolesby, walking there; and he said, if I would come up and poll in the first of the morning, he would get me a horse and gig, that I should ride there, and I said I would; and I promised him I would vote, and I went back to the house again, and I did not stop half an hour; and I went out again, and me and my wife and my mother were going home, and a man came up to me in the market; I do not know who it was, and said there was a man buying up the votes, and I went and found the man out; I do not know his name, but I believe he is clerk to Mr. Laws.

2919. What is he?—I do not know; my wife told me it was Mr. Law's clerk; I did not know him, and he took me to the Angel, and there was no one there; and then he took me to the Buck, on the Quay.

2920. Is that a house?—Yes, that is an inn; and when I went into the Buck, there was Mr. Mortlock Lacon there, Mr. Shrieve, one of the mayor's officers. and Mr. Pratt one of the mayor's officers, and Mr. Sloman.

2921. That same Sloman, of whom you have been before speaking?—Yes.

2922. Who else?—A great many, they were full of the heads of the town; I did not know a great many.

2923. Who was the chairman there?—Young Shrieve was in the chair, the mayor's officer's son; they asked me what I would have to drink; I told them I did not care what I had, for any thing would suit me, and they got me some gin; it was full of gin, there was no water in it; I said I could not drink that, that would not do, I must have some water in it; I told them I could not drink that at all, and they brought me some wine, and I did not like that; and then they took that back, and brought me some ale, and I drank that; and at the time I was standing there, Mr. Harbord Lushington Preston came in, he had a white hat on, and a blue duffer coat, a kind of frock coat, and he asked me what I would have: I told him I would have 10 sovereigns, and he said no, he would give me five; I said I would not have it, I would sooner poll for the Blues, and he said I will tell you what I will do, Gardner, I will give you seven, that is two more than I give the Barton Fishery, that was a company of watermen that quartered at the public house of the sign of the Barton Fishery, they had five pounds each, so Mr. Preston said; he said he would give me two pounds more than the Barton Fishery, that was the sign of the public house; a man of the name of Bowles keeps it, and I said very well, let us have it now; he said no, I should have it in the morning, and in the morning there were three or four of them came, Mr. Laws, Mr. Sloman, and Mr. Preston.

2924. Came down where?—To my house.

2925. Did any thing more happen that night?—Yes, there was.

2926. State all that happened at the Buck before you went to your house?—I told him I should like to go home; I did not want to be there all night, and Mr. Sloman came after me; he catched me when I got into the Broadway, about 100 or 200 yards off, and brought me back again, and my wife was in at the time, and I could not get back for some time; they brought me some brandy and water and my wife had some.

 2927. Did

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2927. Did you get back to the Buck?—Yes, I was forced to go back to the Buck; then I got back again, and I came right straight home; and I think it was about twelve or one o'clock; when I got home it was not much later than twelve or one.

2928. Have you stated all that happened at the Buck?—Yes, I went home, and in the morning Mr. Laws, Mr. Sloman and Mr. Preston came to my house.

2929. Which Mr. Laws was that?—I do not know what he is.

2930. Do you know what he is by trade?—No.

2931. Do you know where he lives?—No, I do not.

2932. Is that all that occurred?—Yes, I went out with him; it was too early to go up to the polling booth, and I came back again to my house.

2933. Did you go out with him?—Yes.

2934. Did any thing pass while you were out and before you returned?—We had some gin.

2935. Did any thing pass?—I do not think there did.

2936. Where was the gin?—At the Buck, and I came home again, and I had not been long at home before my brother-in-law came; and I and my brother-in-law went out, and I met Mr. Preston.

2937. Is that the man, Johnson, you have been speaking of?—Yes; he told us to go to the Buck.

2938. The same Mr. Preston?—Yes, Mr. Harbord Lushington Preston; I never had any thing to do with any other Preston; we had two glasses of gin and water, and set them up to Mr. Preston; and we went down to Mr. Green's; we had two glasses of rum and water there, and we begun to be odd and tipsy then; and I and my brother went up to the committee-room; my brother did not go into the room where the money was paid.

2939. Is this your brother or your brother-in-law?—My brother-in-law, and there I received seven sovereigns.

2940. Where was this?—At the committee-room in the room.

2941. Was there a committee-room at the Buck?—No, I did not mean the Buck, though I said the Buck; it was at the committee-room at the corner of the market.

2942. State to the gentlemen how you got the seven sovereigns, from whom?—From Mr. Edward Harbord Lushington Preston.

2943. Did any thing pass at that time?—None at all.

2944. Who was in the room besides?—Mr. Praed and Mr. Baring too, both were in the room at the time, and two or three gentlemen; but they were at the other part of the room; they were not in the room when I first went in.

2945. You say they were up at the other part of the room, who do you mean was up at the other part of the room?—Two gentlemen; I do not know who they were.

2946. Did you mean that Mr. Baring and Mr. Praed were at the upper part of the room?—No; I mean that Mr. Praed and Mr. Baring were in the room, with their backs to me.

2947. Then they did not see what Preston did?—No; I cannot think that they did, I did not look at them the whole time; I do not think they did.

2948. You do not think they saw Preston give you the money?—No.

2949. When you got the money, did you go out directly?—I met my brother-in-law on the landing, and I had the seven sovereigns in my hand, and I showed him the seven sovereigns.

2950. Did you meet any body else?—No, I did not meet no one else; I saw Mr. Sloman there, but nothing passed between us.

2951. About the gig which you spoke of, will you state what passed about it?—I went and changed one of the sovereigns in the Market-row.

2952. Whose house there?—At Mr. Starling's.

2953. What did you do there?—I went to Mr. Green's, I and my brother-in-law.

2954. This was on the first day of election?—Yes.

2955. Had you polled?—Yes, Mr. Sloman went up to the poll with me; Mr. Preston said, see that Gardner polls, go up with Gardner.

2956. Lushington Preston said this to Sloman?—Yes.

2957. Where was this where he said this?—On the landing.

2958. You have said he was in the room when he gave you the money?—Yes, when he opened the door Sloman was on the landing.

2959. What afterwards did he say?—He said, "Go up to the booth and see Gardner poll," and I went up and my brother-in-law went up with me.

2960. Did Sloman go with you?—Yes.

2961. And who else?—My brother-in-law.

2962. Did any thing occur at the booth?—Nothing at all.

2963. What else occurred?—I went to Mr. Green's.

2964. After you had polled you changed the sovereign?—Yes.

2965. Whom did you vote for?—For Baring and Praed.

2966. Then you went to Green's?—Yes.

2967. What did you go for?—To get my breakfast, I and my brother-in-law went there too.

2968. Did you both get breakfast there?—Yes.

2969. How long did you stay?—Half an hour.

2970. Did you get any tickets?—No.

2971. What further passed?—I went to Mr. Kent's the ostler, and asked him if I could have a horse and gig there, and he said, "No, he could not let me have one, they were all out;" and I went to Mr. Bullen's and I had one there, and Mr. Bullen went down to Mr. Green's to ask if it was so.

2972. To know if it was how?—If they sent me to have a horse and gig.

2973. What did you say to Bullen?—I said I wanted a horse and gig for Mr. Green; Mr. Green will pay you I said.

2974. What authority had you for saying that to Bullen?—Green told me to go and get one there.

2975. When did he tell you this?—The night before the election.

2976. Then you went to Bullen?—Then I went to Green's, I and Mr. Bullen, and Mr. Green was not at home; but his wife was at home, and she said to Bullen that is all right.

2977. Meaning that your statement to him was right?—Yes.

2978. Had you your horse and gig?—Yes; my brother-in-law went with me, and I got into the gig, and I drove down to my house, and I took my wife and left Johnson at my house, not in the house.

2979. Where did you go to?—I drove to my father's, and my father and mother got in, and then we drove off to Lowestoft.

2980. How far is that?—Nine miles.

2981. Did you get a duty-ticket for the gig?—No, I had no ticket; I have had tickets since then for gigs, but none at that time, I had no ticket then.

2982. No ticket for this journey?—I had no ticket at the time I went there.

2983. How did you get through?—I paid the toll and went through; they never asked me for the ticket.

2984. When you came back from Lowestoft, what did you do?—I left the horse at Mr. Bullen's in Regent-street, and I and my brother and my father went down to Mr. Green's, and my wife, and there we stopped and drank all that we could drink till 11 o'clock.

2985. Was this on the 2d day of election?—On the first night.

2986. You went to Lowestoff the same day you had polled?—Yes.

2987. When you came back from Lowestoft, you carried the gig to Bullen's and then went to Green's?—Yes.

2988. Who went to Green's?—My father and mother, my wife and myself.

2989. Whom did you see there?—I saw the freemen there; they were tipsy most of them.

2990. How long did you stay?—I should think we stopped till one; my father got tipsy and he got off; he said he would not be along with the rascally Reds; so he went away; he put a blue riband on his hat.

2991. Where did he put that on?—At Green's.

2992. In the tap-room?—Underneath the porch of the door.

2993. What time was this?—About 11.

2994. Do you recollect any body then being there?—No, I cannot say, I can recollect the people that were in the room when I was there; Mr. Smith was there, one of the voters, and Mr. Hurst was there.

2995. What Smith, is that Tom. Smith?—I do not know what his christian name is; he is a voter.

2996. Where does he live?—On the Denes; he voted for the Reds.

 2997. Was

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2997. Was there any body else?—There were a great many there; I cannot tel their names; I know them all to see.

2998. How many were there; many?—I stopped with my mother and my wife till one, then we came home, and I left my mother at home. I came home and went to bed; I got up the next day morning and went up the town after my tickets; I had not the tickets for the first election day.

2999. State who you went to?—I went to the committee-room; I took a 5*s.* ticket and two half-crown tickets.

3000. From whom?—I cannot say from whom they were; I got them changed at the Shakespeare opposite.

3001. Did you spend any thing at the Shakespeare?—One shilling.

3002. What money did you receive?—Nine shillings.

3003. You have spoken of having changed one of the sovereigns; what did you do with the remainder?—Gave it to my wife. I gave six sovereigns to my wife and kept the silver myself.

3004. Did any thing more happen during the election?—I cannot say what more happened; I went again to Mr. Green's at night.

3005. The next night?—Yes, I was at Green's.

3006. How long were you there?—Some little time.

3007. Did you get any tickets?—No; I saw my father with a blue riband on; he came in with his collar-bone broken.

3008. He came in there; did he walk in?—Yes, with a blue riband on his hat.

3009. Did any body come with him?—Nobody; he paid for what he had; I would not have him have any drink at all, so long as he had the blue riband on.

3010. Who said that?—I did; I said he would get me into a muddle and I left him there.

3011. Did it lead to a riot?—No, I left him there; I thought it was best.

3012. Who were there then?—They were the same as were there the night before, all of one party.

3013. Voters?—Yes.

3014. And you knew them to be voters?—Yes.

3015. Did any thing else occur during the election?—No, the next day was the chairing-day round the town; I went round the town with them, and I went up to the hall when they were sworn in, and round the town, and I went to Mr. Green's and got my supper again.

3016. Was anybody with you then?—No.

3017. Did you get any thing besides your supper that night?—Only drink.

3018. How long were you there?—I cannot tell how long, about 11 or 12; it was just cold and foggy.

3019. Is that all during the election?—That is all during the election.

3020. Had you any conversation at any time with Mr. Lushington Preston?—Yes, upon different things; I cannot tell exactly what it was; I can tell you how I got my two guineas.

3021. Go on with that?—I was coming over the bridge going home, and I had a mind to go up to the sessions where the prisoners are tried, and I met Mr. Preston going there too.

3022. When was that?—It was the time the two guineas were paid.

3023. When was this?—I cannot say when it was, but it was sometime after the election.

3024. During session time?—Yes, it was; he said, "You are going to have your two guineas, Gardner." I said, "Sir, I will not believe it," and he asked me why I would not believe it; I said, "I would believe it if he paid it himself;" he told me to call over on Friday at his office over the water.

3025. His office is on the other side of the water, is it?—Yes; and I went and I asked him if he would give me the two guineas; he said he would. I said I would take it out in hemp, that will be the same; and he stopped some little time, and he told Mr. Bunfalow, let Gardner have his hemp; and I had 200 of hemp, half clean hemp, at 23*s.* per cwt.; and I paid Mr. Bunfalow 4*s.*, that made the 26*s.* up. I took the hemp away; and I took the sovereign for the chair-money at Mr. Preston's too; that was just after the election. I forgot to state that, and some little time after I went over to Mr. Preston, over the bridge, and I asked him if he would let me have the hemp that he promised he would, and he said no. Before that I went over to Mr. Preston's, then it was talked of in Yarmouth that there would something come of the bribery that was carried on, and then I was at

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Mr. Preston's after the hemp, and he said, "Gardner, for that 'ere money that I lent you, just sign this here paper," and I did so: it was stating that Mr. Preston had lent me seven sovereigns, and I signed it; and I went and told my father, and he told me to go over and get the note destroyed; and I went, and Mr. Preston would not destroy it, and I went in a week or two after and he destroyed the note; I saw it destroyed.

3026. How long was this conversation about the destruction of the note you have mentioned after the time you had received the money?—I should think a fortnight.

3027. How did that conversation arise?—I went after some hemp, and Mr. Preston mentioned it to me; I said I would do it, and I signed the note.

3028. Why did he say you were to sign the note about that money?—Because he thought something would become of it, I suppose.

3029. Did he say anything?—No, he did not.

3030. Did he say any thing when he asked you to sign that note?—No.

3031. What induced you to sign a paper of his writing?—Because I knew what I had taken the money for; and I thought something might happen that would screen me and Mr. Preston too as long as he had a note to show of the sovereigns, and I thought he might die or something or other; I did not give it a thought at the time I was doing it, or I should not have done it.

3032. When your father heard it, he said something?—He told me to get it destroyed.

3033. Did you go back?—Yes, I told Mr. Preston that I should like to have the note destroyed; he said, "Damn it, that does not signify;" and I said, "Suppose you die, or any thing of the kind, they could come upon me for these sovereigns;" and he told me he would destroy it in a week or two's time, and I went in a week or two's time, and he burnt it.

3034. When you went to him in a week or two's time, what did you say?—I asked him if he would destroy the note, and he said he would, and he burnt it.

3035. Where?—In the fire in the counting-house.

3036. Have you since that had any words or quarrel with him?—Yes; I went to Mr. Preston, and asked him if he would let me have the hemp he promised me, and he said he would rather not; and I said, "Sir, then you will not behave yourself like a man."

3037. Had he promised you any thing?—Yes.

3038. When and where?—At the time of the election, both he and his father too, because I had been to Mr. Watling's, and got some hemp on credit, and he said, "Why did you not come to me, you should have had what you liked?" and of course I went, and he would not let me have the hemp; and I told him he was a villain, and had not behaved himself altogether the thing, or like a man, I cannot say the words; and I told him, "You know what has passed between you and me, and you know what you gave me, the seven sovereigns." He said, "I never gave you a halfpenny;" and I began directly to let out, and if it had been His Majesty I would have done the same thing. I called him all that I could think of, and I called him any thing but a gentleman, and he called me the same; and he sent down for me at night, some boy came down to the house, to go to his master's house at half-past five; I went to his house, and Mr. Preston was not at home; I went the next day, and Mr. Preston was at the counting-house, when I asked what he wanted with me, he said, he did not want nothing; then said I, "More villain you to send for me." At the time we were talking, my aunt and my wife came in; they would not leave me alone, and they sat talking there; Mr. Preston said, "Now, Gardner, if you be an Englishman, hold your own;" and my aunt and my wife was in the room at the same time; said he, "They cannot put you to the rack, you are not in Poland;" I think that was the place, I am sure it was; "they cannot hurt you, you are a poor man, but it will be the ruin of me;" those were the words that he said; and he said, "Get out of the way, get out of the place altogether;" that he heard that there was a kick up among the Blues here, and he said, "Get out of the way altogether;" and I told him I would not. I told him I would expose him; and the next morning his boy came down again, came down to the ground where I was at work, that his master wanted to speak to me, and I went; his wife opened the door, and she had a child in her arms, and she told me to go up stairs, and I did, and Mr. Preston was in the bed-room, half dressed

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and half undressed, shaving himself; and he asked me what I wanted; and I said, I did not want any thing, I wanted to know what he wanted with me; he said, "Tell me what you want;" and he stood for ten minutes in that manner, and I told him I wanted nothing; and he said, "Get out of the way altogether;" I said, "I have got no money;" said he, "Will 5*l.* be of any use to you;" "No," I said, "I have had too much of your dam'd money;" and he sent for me again to his house; I went twice to his house, and once to his counting-house; I went again the next morning, and to the bed-room again; he was shaving himself the next morning, and he asked me again what I wanted, in the same manner, and I told him I did not want nothing; said he, "You have asked me for 5*l.*;" said I, "You are a big villain;" and he gave me a shove out of the room, and if I could have struck him I would; and I came down stairs, and I have not seen him since, only as I have seen him here.

3039. Was the word "imprisoned" used?—Yes, it was; he told me that I should get put into prison; I said, that would be immaterial to me, I would speak the truth: I went to Mr. Shelly, and stated as nearly as I could state the thing; a week or two back a man came down to the ground, and said, "Gardner, you are going to London;" I said, I did not know whether I was going or not going; said he, "You will be put into Newgate;" I said, "I cannot help it, I stand as good a chance as the rest of them;" and that is all that passed, every word, as near as I can guess. It is the truth, and nothing but the truth, that I could swear to.

3040. You have stated that on some day you met a person in the market-place, who told you that there was a person buying the votes, who was he?—I do not know.

3041. Had you ever seen him before?—No, not to my recollection.

3042. Or since?—No.

3043. He was a perfect stranger to you?—Yes.

3044. A perfect stranger told you that another person was buying up the votes?—Yes.

3045. Who was this person buying up the votes?—Mr. Laws.

3046. Did you know him?—I should know him if I saw him.

3047. Did you see him that night?—No, I saw his clerk.

3048. Did you see him at all?—Yes, the next day.

3049. Where?—At my own house.

3050. At what time was that?—Seven or eight; about that; it was not altogether day-light.

3051. Was there any body present?—Yes, my wife was in the room.

3052. Nobody was present but your wife and Mr. Laws?—No; and she did not see him.

3053. How do you know that?—Because she was in the bed-room; the rooms both join together.

3054. What day was this?—It was the morning of the election.

3055. Which morning?—The first.

3056. You stated that Mr. Preston came to you, and asked what you would have?—Yes, in the Buck.

3057. When was that?—The night before the election.

3058. The night of the nomination?—Yes, it was.

3059. At what time?—I cannot say exactly the time, it might be eleven or twelve.

3060. About what time?—It might be eleven or twelve, or nine or ten.

3061. Some time between nine and twelve, but you cannot tell what time?—No, I did not pay so much attention to the time as that.

3062. Who was present?—Mr. Sloman and Mr, Mortlock Lacon was in the room.

3063. Any body else?—A great many.

3064. Tell somebody else?—I cannot say, the room was so full.

3065. Was there anybody else in that room that you recollect?—There was Mr. Pratt, Mr. Shrieve, Mr. Shrieve's son, and Mr. Cogle was there. I cannot exactly tell, but there were a great many there. There were 20 or 30, quite gentlemen. There was not low sort of people there; and I saw a great many voters come in as well as myself.

3066. What other voters?—I cannot tell who they were.

3067. Do not you recollect one?—No.

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3068. Did you know them at the time?—Yes, I did.

3069. How did you know that they were voters?—Because I saw the colours in their hats.

3070. Did nobody else wear colours but voters?—Yes; but they did not have anybody but voters in the house

3071. How do you know that?—Because they would not go but after freemen. I should think that they would not go to bring in non-freemen.

3072. Did you know those freemen?—No.

3073. Were no colourmen in the house?—No.

3074. How do you know that?—Because it was a party of gentlemen in the house, and they paid for what they had.

3075. But there were voters came in?—Yes.

3076. How do you know that they were voters?—I judge from myself, because was brought in as a voter, and I should think that others were.

3077. And this was on the night before the election?—Yes.

3078. Sometime between nine and twelve?—Yes.

3079. Are you sure it was not before nine?—Yes.

3080. Are you sure it was not after twelve?—Yes, I am sure of that.

3081. It was between nine and twelve?—Yes.

3082. Were you sober at the time?—Yes, pretty middling.

3083. You were not quite sober?—No, half and half.

3084. You had been drinking a good deal?—Yes.

3085. What had you had?—Wine and ale, and gin and rum, all sorts of drink.

3086. And in great quantities?—Yes, just as I liked.

3087. So much so that you were intoxicated?—No.

3088. But you were not sober?—No, I was what they call half and half; I was not drunk, and I was not sober.

3089. Next morning you say Mr. Sloman, Mr. Preston and Mr. Laws, came to your house?—Yes.

3090. Was any body else present then?—There was only myself and my wife.

3091. Did she see him?—No.

3092. Nobody saw him but you?—No.

3093. About what time was that?—Half-past seven in the morning; it was not quite broad daylight, but it was dusk.

3094. What day was this?—Tuesday, the day after the nomination.

3095. You are quite sure that it was Tuesday morning?—Yes.

3096. That you stick to?—Yes.

3097. And your wife did not see him: nobody saw him but yourself?—No.

3098. You say that Mr. Preston told you to go into the Buck?—Yes.

3099. Who was present when he told you that?—Mr. Sloman and Mr. Laws.

3100. At what time was this?—That was about eight, or a little before eight.

3101. Did they stay in the house from the time they first came in till that time?—No.

3102. Where was it they told you to go?—To the Buck.

3103. Were they at the Buck?—No.

3104. But they told you to go?—Yes; they told me I might have what I liked.

3105. Where were they?—Close against the Market-row.

3106. When they called upon you at half-past seven in the morning, what did you do?—Got up, and went out; went walking up to the gates with Mr. Laws and Mr. Sloman, and I went to the Buck.

3107. Before you did that, did you not go up to poll?—Yes.

3108. Before the poll commenced?—No.

3109. Did you return home before you went to the Buck?—Yes; I came back before I went to the Buck, and my brother-in-law came for me; then we went to the Buck.

3110. What brother-in-law?—Johnson.

3111. You went that morning to Mr. Green's; was that before you had been to the Buck?—Yes.

3112. What did you get at the Buck?—Two guineas, and gin and water.

3113. What time did you get to Green's?—About half-past nine, or a quarter to ten.

3114. Did you see a person you knew there?—Yes.

3115. Who?—All the voters at the house.

3116. Did you see any of them?—Yes; I saw Mr. Keith and Mr. Wilson.

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3117. Any body else?—Yes; I saw a great many.

3118. Tell the Committee how many were there?—Going on for 40, 20, or 30.

3119. Out of those can you recollect only two names?—I could if I were to look back.

3120. Do look back?—There was a Mr. Robert Hye, he was one.

3121. Any body else?—I cannot recollect the names.

3122. You must mention some more?—I cannot recollect any more.

3123. Can you recollect only three?—If you were to ask me the names of freemen, I could not mention a dozen; I know them to see them.

3124. You do not know the names?—I know that they were there, and Mr. Green knew that they were there too.

3125. Is that all you know?—That is all that I know.

3126. Those men were all freemen?—I cannot say that they were all freemen, because they might have had a friend or two with them; but many of them were freemen, for they would not have made a breakfast for a non-freeman.

3127. You said that you went to the committee-room?—Yes.

3128. At what time?—About nine.

3129. What time were you at Green's?—About half-past nine, or a quarter to ten.

3130. Did you go to Green's or the committee-room first?—I went to the committee-room after I came out of the Buck.

3131. Direct to the committee-room?—Yes; my brother went with me.

3132. You did not go to Green's first?—No, I did not.

3133. And it was a quarter before nine that you went to the committee-room?—I can tell to a quarter of an hour, because I know it was not above a quarter past nine before I polled.

3134. Was any body in the committee-room when you got there?—Yes.

3135. Who?—Mr. Praed and Mr. Baring.

3136. Any body else?—Yes, two more gentlemen; I cannot tell who they were.

3137. That was the first morning of the election?—Yes.

3138. Any body else in the room?—No.

3139. Nobody else at all?—No.

3140. Then you saw nobody else in the room?—No.

3141. What did you see there, or do there; did you speak to any body?—I took my seven sovereigns that Mr. Preston gave me.

3142. Did any body speak to you?—No.

3143. Neither of them spoke to you?—No.

3144. How came you to go into that room?—Because that was where they were paying that.

3145. Who required you to go?—I told them I wanted to see Mr. Preston; they told me where to go to.

3146. Was he in the room?—Yes, that was a room below where I went into.

3147. Was it the room above stairs, or below stairs, in which you saw Mr. Praed and Mr. Baring, and those two gentlemen?—Up stairs.

3148. What room did you go into, when you first entered the house?—It was the room on the left, I think.

3149. On the ground floor?—Yes.

3150. Who did you see in that room?—Some gentlemen; I do not know who they were.

3151. Did you not know any of them?—No; I know some of them to see them.

3152. Did you see any of them?—I asked if I could see Mr. Preston, and they said he was up stairs.

3153. Did you go up stairs?—Yes.

3154. Into what room did you go up stairs?—The room on the right.

3155. Where does that room look into, the street?—Yes, into the street.

3156. Who did you see in that room?—Mr. Praed and Mr. Baring, and two other gentlemen.

3157. Did you see any body else in that room?—No, Mr. Preston paid me up in one corner of the room.

3158. Was he there when you went into the room?—Yes.

3159. What was he doing when you went into the room?—He was standing in the middle of the room; I cannot say that he was talking to any one.

3160. Where about was he standing?—In the middle of the room.

3161. Where

3161. Where were Mr. Baring and Mr. Praed standing?—Near the fire-place, on one side of the door.

3162. You do not know what Mr. Preston was doing?—No, he was standing in the middle of the room.

3163. Doing nothing?—I did not notice what he was doing.

3164. Did you speak to Mr. Preston first?—I told him what I wanted, and he said that is right, and he gave me the money.

3165. Who spoke first?—I cannot say; Mr. Preston knew what I wanted, what I was come about.

3166. How can you tell that?—Quite well.

3167. State, as near as you can; use the precise words that passed?—I cannot say what I said; I cannot say whether there was any thing mentioned at all.

3168. Were you sober?—I was not right sober then.

3169. That was nine o'clock in the morning?—I had been having some drink the first of the morning.

3170. Is that the reason that you cannot recollect what was said?—I should recollect, if any thing was said; but I do not think any thing was said.

3171. You went into the room, and nobody said any thing?—No.

3172. Did you speak to Mr. Preston?—I do not think I did.

3173. Did he speak first?—No, I do not think he spoke at all; he told me to go and poll, and not to say a word about it.

3174. What took place before he gave you the money?—I do not think he said any thing.

3175. Did you go up to him in the middle of the room?—Yes.

3176. What did he do then?—He gave me seven sovereigns.

3177. In the middle of the room?—No, in one corner; he turned his back to Mr. Praed.

3178. You went up in the corner with him?—Yes, and he took it out of his trowser's pocket.

3179. Did you see any money on the table?—No.

3180. Did you see any other money, except that which Mr. Preston took out of his pocket?—Yes, I saw more gold in his pocket.

3181. Except the money that Mr. Preston took out of his pocket, you did not see any money at all in the committee-room?—No.

3182. After he had given you the money, what did he say?—He told me to go up to poll, and not to a say a word about it; and I told him I would not; and I told my brother directly I was out of the room; I showed him the money in my hand.

3183. Did Mr. Preston go out of the room?—No.

3184. You went down stairs?—Yes, and met my brother.

3185. You say you saw Mr. Sloman?—Yes.

3186. Who was present then?—My brother-in-law.

3187. Was any body else present?—Nobody.

3188. Was Mr. Preston present when you saw Mr. Sloman?—No, he was not; he told Mr. Sloman to go up to the poll and see Gardner poll.

3189. When did you say that?—That was when he was on the landing.

3190. Was Mr. Sloman in the room when you had the money?—No.

3191. Where was he?—Standing on the landing as one might open the door.

3192. Did Mr. Preston go out of the room?—No, he did not.

3193. You opened the door to go out, and Mr. Preston saw Mr. Sloman on the staircase?—Yes.

3194. What did he say to Mr. Sloman?—He told me to go up to poll, and he told Sloman see that Gardner polls, my brother heard him say so; my brother went up to the booth with me.

3195. Did Mr. Sloman go up with you to poll?—Yes, he did; I think he gave me two tickets going up, and he gave my brother-in-law one.

3196. At what time was this?—At half-past nine.

3197. You have no doubt that Mr. Sloman took you up to poll?—No.

3198. That you are quite certain of?—Yes.

3199. Had you often seen Mr. Sloman before?—Yes, but never knew who he was.

3200. But you know it was Mr. Sloman?—Yes, I saw my brother in the room at the Buck, and he said that that was Mr. Sloman; my brother and he were very thick together.

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3201. You state that after the election you met Mr. Preston on the bridge?—No, I did not state that.

3202. Where did you meet Mr. Preston?—Against the new street, when I was coming over the bridge.

3203. When was this?—At the time the sessions were.

3204. When was that?—I cannot say how long it is ago; I think it was somewhere in April.

3205. The early part or latter part?—Latter part.

3206. Do you recollect the day of the week?—No, I do not.

3207. What time of day?—About half-past nine in the morning; I went up with Mr. Preston up to the trials.

3208. Was any body else there when you met Mr. Preston?—No.

3209. Nobody at all?—No.

3210. Were the two guineas paying at this time or had they been paid?—They were not paying; I never received the two guineas; I received it in hemp.

3211. Were the two guineas the vote-money paying in Yarmouth, or had it been paid before?—I think it was a day or two after that they were paying that.

3212. The day or two after you met Mr. Preston?—The day or two after I spoke to Mr. Preston they paid it.

3213. You met Mr. Preston the earlier part of April?—No, the latter part.

3214. Had you then received your two guineas?—No.

3215. What did Mr. Preston say to you?—"You are going to have your two guineas next week Gardner," and I said that I did not believe it.

3216. Who was present at that time?—Nobody but myself.

3217. This was in the street?—This was in the street.

3218. Then Mr. Preston desired you to go over; where did he desire you to call?—At his counting house.

3219. Did he mention any hour?—No.

3220. Did he tell you why he desired you to call on Friday?—No; he was one of the grand jurymen in the court, and he could not speak to me.

3221. What day was this you met him?—I cannot say.

3222. How many days before you were to call upon him?—I think it was two or three days; I think it was about Tuesday.

3223. He did not tell you what it was for that you were to call?—Yes, I knew that I was going to take the hemp.

3224. Did he say any thing to you that day about the hemp?—I said I would come and take it out in hemp, and he said "very well come."

3225. He was so busy, that he could not speak to you?—Yes; I walked up into the trials; I could not have got up if Mr. Preston had not helped me up.

3226. You met no person while you were with Mr. Preston?—Not that I know.

3227. How far had you walked with him?—I should think the best part of a quarter of a mile.

3228. During sessions time, up to the sessions-house?—Right up to the house.

3229. And during sessions time?—Yes.

3230. Did you go to Mr. Preston's on the Friday?—Yes, I did.

3231. At what time?—About forenoon; one of the voters went with me.

3232. What hour?—About eleven o'clock; the voter took his hemp the same as I took mine.

3233. What man was that?—Smonton.

3234. At eleven o'clock he went with you?—Yes.

3235. Whom did you see there?—Mr. Bunfalow.

3236. Any body else?—Mr. Preston; Mr. Harbord Lushington Preston; I saw his father and the son too.

3237. What is the father's name?—Isaac.

3238. Where were they seen?—They were standing right opposite the counting-house.

3239. But not in the counting-house?—On the east of the quay.

3240. Where was the clerk?—Standing taking the account of the timber.

3241. He was not in the counting-house?—No.

3242. Did you go into the counting-house?—Not till I went to sign something saying that I had received two guineas, whereby he might prove that it was paid.

3243. Did you hear Mr. Preston tell his men to give you the hemp?—Yes, Mr. Smonton.

3244. Did Mr. Isaac Preston hear that?—I think he did.

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3245. You were standing all together?—Mr. Isaac Preston was standing up a little distance from his son.

3246. Did you whisper this?—No, spoke loudly.

3247. And you think that Mr. Isaac Preston might hear it?—Yes, he said "Bunfalow, let Gardner have his hemp amounting to two guineas."

3248. Who said that?—Mr. Harbord Lushington Preston.

3249. You have no doubt that Mr. Harbord Lushington Preston was there, and told his clerk to do this?—I am quite sure of it.

3250. You are quite sure that he told his clerk to give you the hemp?—Yes.

3251. Were Mr. Preston and his clerk standing near together at that time?—Yes.

3252. Close together?—Yes, three or four yards off.

3253. Did his clerk say any thing?—He said, "Very well, Sir."

3254. Mr. Preston told his clerk, let Gardner have the hemp, and his clerk said "very well, Sir," that is so?—Yes.

3255. This was about 11 o'clock on Friday the latter end of April?—Yes.

3256. What was the day of the month?—I should think it might be the 24th.

3257. Were the sessions closed then?—Yes.

3258. When did the sessions close?—The day before, on Thursday about 10 o'clock.

3259. On the Friday you went and got the hemp?—Yes.

3260. Some time after this you saw Mr. Preston again, did you?—Yes.

3261. And you have told the Committee some story about his requiring you to give him a note for 7*l.* was anybody present when he asked you to give him that note?—No.

3262. Where were you?—In the counting-house.

3263. Nobody was present?—Nobody.

3264. When was this?—It might be three weeks after the election, or a month.

3265. Was this before you got the hemp for the two guineas?—Oh, yes! a long time before that.

3266. The transaction about the note was before you got your hemp?—Yes, a very long time.

3267. How long before the election?—I should think a fortnight or three weeks, or thereabouts.

3268. Quite a fortnight?—It may be a little more than a fortnight.

3269. Was it more than three weeks?—No.

3270. Somewhere between a fortnight and three weeks?—Yes.

3271. At the counting-house?—Yes.

3272. Nobody was present?—No.

3273. At what hour was this?—In the forenoon, I cannot say exactly the hour; I do not know whether it was the forenoon or the afternoon; it was in the forenoon.

3274. You do not recollect the day?—No.

3275. Do you recollect the day of the week?—No, I do not.

3276. You signed a note?—I did.

3277. What kind of note was it?—Three or four lines.

3278. On a slip of paper?—Yes.

3279. Did you read it?—I read a part of it.

3280. You say that that note was destroyed?—Yes.

3281. What was the part which you read?—I could make it out on the top, William Gardner, younger, borrowed the sum of 7*l.* of Mr. Preston, something of that, and I signed it; I put my name at the bottom.

3282. Did you read all the note?—There was something else.

3283. Do you know what that was?—No, I do not.

3284. How long after you had signed that note did you call upon Mr. Preston again?—The next day or two afterwards.

3285. Was anybody present then?—Yes, I think his clerk was.

3286. Where did you see him the next time?—In the counting-house.

3287. In his own private room?—No, in the clerk's room.

3288. Was his clerk present?—Yes, he was.

3289. What was that clerk's name?—Craske.

3290. What did you say to Mr. Preston?—I told him that I should like to have that note destroyed, "you cannot tell how long you may live, if you die they may call upon me for the 7*l.*"

3291. Was the clerk in the office?—Yes.

3292. Did

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3292. Did he hear you say it?—I should think he did. Mr. Preston came away from the side of the desk, because I called him away, I did not wish his clerk to hear it, but I dare say he heard it.

3293. Did he speak in an under tone?—Yes; but I think his clerk heard me.

3294. Do you think any person in the office might hear you?—Yes, if they were paying sufficient attention they might.

3295. Is the office large?—No, very small.

3296. Was there any body else present?—No.

3297. You told him that you would like to have the note destroyed?—Yes.

3298. What did he say?—He said it was damned nonsense; damn it, it will not hurt you; it would not come to any thing; if you call over in a week's time I will destroy it; do not you vex yourself about that; it will not come to any harm, and I went over in a week or a fortnight; I went over twice before he destroyed it.

3299. How long was it before you went again?—A week, not longer.

3300. Was any body present then?—Yes, Mr. Craske.

3301. Did you then ask Mr. Preston to destroy the note?—Yes.

3302. Did the clerk hear you upon that occasion?—I cannot say.

3303. There was no reason why he should not?—No, Mr. Preston came to the door then, and told me not to make any piece of work about it; if I would call in a week or two he would destroy it.

3304. Then you went a third time?—Yes.

3305. Was any body present on that occasion?—No.

3306. Where did you see Mr. Preston then?—In the counting-house.

3307. You did not see any body else present?—No.

3308. Did you see Mr. Isaac Preston?—No, he might have been in the other counting-house, but I never saw him.

3309. Does the one room open out of the other room?—No, it opens out of a passage, one door one side and one the other.

3310. On that third occasion did Mr. Preston destroy the note?—Yes, he did.

3311. How did he destroy it?—He burnt it.

3312. Did he say any thing to you when he burnt it?—Nothing at all.

3313. What did you say then?—I asked him if he would destroy that note, and he said yes, and burnt it directly, it was put in the fire.

3314. What month was this?—I should think it would be about February; I cannot tell exactly for a day or two; I did not think any thing would come of it.

3315. Do you recollect when the election was?—Yes, it was just after Christmas.

3316. What day?—Tuesday and Wednesday.

3317. Was it the Tuesday or the Tuesday-week after Christmas?—It was the Tuesday after Christmas, I think.

3318. How long after the election was it that Mr. Preston asked you to sign that note?—It was a week or fortnight.

3319. How long was it after that you called upon him to destroy it?—About a week or a fortnight.

3320. How long after that did you call upon him the second time to request him to destroy it?—A week.

3321. And how long was it after the second visit that he did destroy it?—I called in a week or a fortnight, and I called in a week after that and asked him to destroy it, and he did.

3322. You had two interviews with him to ask him to destroy the note?—I had three, for I went immediately after I had signed it; my father wished me to go.

3323. Can you state those days?—I cannot tell exactly.

3324. How long a time elapsed between those respective visits; how long after the election?—There was not a week or a fortnight's difference between the whole three times, because I kept him close up to it.

3325. Was it a week that elapsed between each visit?—A week or a fortnight.

3326. You cannot tell which?—No, I went once in a week the first time; the second time when he told me to call it was a week, and the last time it was a week or a fortnight; I cannot say the time, but I know that I went, and that Mr. Preston burnt the note.

3327. After you had got your hemp Mr. Preston saw you, and said "Gardner, come to me"?—No.

3328. When was it that Mr. Preston asked you to come to him; you stated that Mr. Preston had said to you, "Gardner, why do not you come to me"?—

That

That was in the election time, that Mr. Isaac Preston and Mr. Harbord Preston too; my uncle heard the words pass. *Wm. Gardner.*

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3329. When was it Mr. Preston first said he had never given you the 7*l.*?—That was about a fortnight back.

3330. Where did you see Mr. Preston when he first told you so?—At his counting-house.

3331. Was any body present at his counting-house when you saw him?—No.

3332. In which room is that?—The little room.

3333. Not the clerk's room?—No.

3334. About a fortnight ago?—Yes, about that.

3335. What day?—I do not know.

3336. What day of the week was it?—I cannot tell.

3337. Was it this month or last month?—It was last month; this month is July; no, then it was this month; I thought this was the first day of August.

3338. Was it before or after this petition?—After.

3339. How came you to go to Mr. Preston's office?—I went after some hemp.

3340. What hemp?—After some half-combed hemp.

3341. Some that you wanted to purchase of him?—Yes, at least I thought he would give me credit for it; and he told me no, he would not, he would rather not; and I carried the money in my hand, and so I paid him for it.

3342. But you wanted him to give credit for it, and he would not?—If he had given me credit it would have done him good; as he said he would, I thought he would.

3343. When was that that he said he would?—In the election time, before the election, when Mr. Praed was canvassing.

3344. On that occasion Mr. Preston said that he would let you have some hemp on credit?—Yes.

3345. In consequence of that promise you went to him to ask him to let you have it?—Yes, I had some hemp by me; but I wanted some other hemp of a different quality.

3346. Who was present when you bought the hemp, who saw you at Mr. Preston's office?—The men that worked for me, there were two that worked for me at that time.

3347. They were present?—Yes.

3348. Was any body else present?—No.

3349. Was either of Mr. Preston's clerks present?—Yes, I think it was Bunfalow, but I know that Mr. Preston weighed the hemp himself.

3350. How much hemp did you buy?—Two hundred weight; I have got the bills.

3351. How much did you pay for it?—Twenty-five shillings; I paid 26*s.*, but he gave me a shilling out; for the two hundred weight 2*l.* 5*s.*, I mean.

3352. You think one of the clerks was present, but you do not know which?—No.

3353. Where did you go to have the hemp weighed?—Adjoining his counting-house to the loft.

3354. Who went with you?—Mr. Preston.

3355. Who else?—The two men.

3356. What are their names?—One is Thomas Barry.

3357. Where does he live?—In Ramp-row.

3358. Who was the other man?—Robert Knowles.

3359. Where does he live?—Pockey Hill; they are town houses.

3360. You went with Mr. Preston into a room adjoining his office, and he weighed the hemp himself, you are certain of that?—Yes, I am.

3361. You paid him for it?—Yes, and he gave me a receipt for it.

3362. Did you go back to the office after he weighed the hemp?—I went to take the receipt.

3363. Was it before it was weighed or afterwards, that any conversation passed about the 7*l.*?—It was afterwards; I went for some more.

3364. On the same day?—No.

3365. What day have you been speaking of?—That day that I got the hemp was on the Saturday, because it was the day that those men were off work.

3366. It was not then that Mr. Preston asked about the 7*l.*?—No, I asked for credit, and he would not give it me, and I said he had not behaved like a man.

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3367. Why?—Because he had promised me; he told me I should, and then he told me that I should not.

3368. It was on the second occasion that some conversation took place about the 7 *l.*—Yes.

3369. Who was present?—No one.

3370. Were the two men present?—No.

3371. Were either of Mr. Preston's clerks present?—No, he was alone in the counting-house.

3372. Where did you see Mr. Harbord Preston?—In the counting-house; I went to Mr. Shelly's, and got it there.

3373. Did you pay Mr. Shelly for it?—Yes.

3374. He did not give it you on credit?—No, I did not ask him.

3375. On this second occasion you are quite certain that you saw nobody there but Mr. Preston?—I am sure of that.

3376. Did any of Mr. Preston's clerks come into the room while you were there?—No.

3377. Do you recollect what day it was?—No.

3378. What day of the week?—The middle of the week.

3379. Wednesday, or Thursday?—I cannot say.

3380. You cannot recollect the day?—No, I am sure I cannot.

3381. On this second occasion, what took place between you and Mr. Preston on the subject of the 10*l.*?—I told him he had not behaved the thing that was right; he said, why not? said I, you know what has passed between you and me; he said he did not know any thing about it, of what had passed; said I, you recollect giving me the seven sovereigns; and said he, I never gave you a farthing, and then I let out at him.

3382. How long was this?—About a fortnight ago.

3383. What did Mr. Preston say to you?—He swore at me, as well as I at him.

3384. After this, a boy came down to you, to tell you to come up to Mr. Preston's house?—Yes, I went there; the boy came down.

3385. The same day that you had let out to Mr. Preston, he sent a boy to desire you to go to Mr. Preston's house?—Yes.

3386. At what time in the evening?—I should think it was about four; he told me to call at his master's at half-past five; I went about a quarter before six; my mother went with me, and my wife too, and my aunt too.

3387. Do you recollect who opened the door upon the occasion?—A boy, not the same boy.

3388. Was the boy that came down to you in the office dressed in a livery?—No, in a fustian jacket; it was more a man than a boy that opened the door.

3389. Was he dressed in livery?—Yes; he had a nankeen jacket on, or something of that kind.

3390. Can you tell the day?—No, I cannot.

3391. Was it a fortnight ago?—Yes, little more than a fortnight; just before the barristers came down.

3392. Did you go into Mr. Preston's?—Yes.

3393. Where did you see him?—He was not at home; he was gone out to dine, and the boy told me to call again in the morning, at half-past nine.

3394. Did you go?—Yes, the boy came down again to tell me to be sure to call.

3395. Did you then see Mr. Preston there?—Yes.

3396. Where?—In his bed-room.

3397. When?—At half-past nine.

3398. Was any body present?—No.

3399. Was nobody present in the room?—No.

3400. Did you not see any body in that room?—No, not a single soul, only Mr. Preston was shaving himself.

3401. What did you say to him?—I asked him what he wanted with me; he said he did not want any thing; and he said, Gardner, what do you want with me; we kept on for a little time; I asked him what he wanted with me; and he asked me what I wanted with him, and I knew what he wanted.

3402. This was the second time of your going?—Yes.

3403. How many times did you go?—Three times, once to the counting-house, and twice to his bed-room.

3404. Do you know the boy that came down to tell you?—No.

3405. Should you know him again?—Yes, I should.

3406. That morning at half-past nine was the first time you went to Mr. Preston's bed-room?—Yes.

3407. You saw nobody then?—Nobody except Mr. Preston.

3408. What did he say to you, and what did you say to him?—He asked me what I wanted, I told him I did not want any thing; he kept going on in that manner for some little time.

3409. How often did he say that to you?—I may say 20 times.

3410. Twenty times you said that and he said that?—Yes, more than 20 times, I am sure of it.

3411. Tell what passed?—That was almost all the conversation that passed.

3412. Tell it exactly as it happened?—He asked me what I wanted, I told him I did not want any thing; he told me to get out of the way, I told him I should not, I had no money to get out of the way with; he said will 5*l.* be of any service to you; no, said I, I have had too much of your damn'd money already; and he said, well, you have asked me for 5*l.* and I called him a black-looking rascal.

3413. Were you sober?—Yes, quite sober, and he gave me a push out, and I got out as well as I could.

3414. Was this the first time?—No, the second time.

3415. What took place the first time?—He asked me what I wanted, and if I wanted any thing, and I told him I did not want nothing.

3416. That was the first time?—Yes, I told him I would speak to every thing, he told me, he said, I should get racked upon the wheel. I have nothing more to say gentlemen, I have said every thing.

3417. Tell it again, what passed the first time?—He told me to get out of the way, and I told him I should not; and he asked me what I wanted; that was all that passed, and I left him.—I know the next morning I went again, the boy had come down for me, he asked me what I wanted, I told him I did not want anything; he said, Gardner tell me what you want; I said, I want nothing; will 5*l.* be of any service to you? no, I have had too much of your damn'd money; he said, you asked me for 5*l.*; and I called him all that ever I could think of; and he said that is what I want with you, I do not want any more of you; and I said what I must say, to hear a gentleman say that.

3417.* He said you had asked him for 5*l.*?—Yes.

3418. Had you asked him?—No, he had asked me whether 5*l.* would be of any use.

3419. You said that those were the only two occasions in which you were in his dressing-room?—Yes.

3420. You were never there before?—No.

3421. Who showed you up?—A boy of 17 or 18.

3422. Where is his dressing-room?—On the right hand side; there was a large bedstead with white hangings all over; at the head of the bedstead there stood a large arm-chair all covered with white, and Mr. Preston was standing with his back to the bedstead shaving himself.

3423. He told you to get out?—Yes, or he would put me out; he gave me a shove.

3424. On the second occasion of your seeing him in the dressing room, was any body present?—No.

3425. Was any body present from the time you went in to the time you came out?—No; there was in the counting house my aunt and my wife.

3426. Nobody in the dressing room?—No.

3427. Did you not think it very extraordinary that he should have asked you what you wanted?—I knew what he wanted.

3428. Did you not think it extraordinary?—My father had told me if he had offered money not to take it.

3429. On some occasion after this, on the second time that you saw Mr. Preston in his dressing room, did any conversation pass between you as to any hemp?—No.

3430. Did you say anything to him about the hemp?—Yes; I told him that he had not acted the thing that was right; we had a great deal of talk; I cannot tell every thing.

3431. Recollect every thing that you can, you have mentioned about the hemp?

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—What brought the hemp up, he promised to let me have hemp, and then would not let me have it.

3432. On some subsequent occasion to this, Mr. Preston talked to you about Newgate?—Yes.

3433. Where was this?—In the bed-room.

3434. On what occasion?—On the first time he told me I should get to Newgate, in the counting-house before.

3435. What did he say about Newgate?—He told me that I should get into Newgate; he said you do not know what you are doing, you will get into Newgate.

3436. Were you sober on the two mornings you went to Mr. Preston?—Yes, quite sober; I was not to say tipsy during the whole of the election.

3437. You said, when speaking of going up to the grand jury with Mr. Preston, that you did not meet any body?—Yes.

3438. Do you mean that you did not meet any body you knew?—We met a geat many, but I did not meet any one I knew.

3439. That was your meaning?—Yes.

3440. You have been asked whether you were drunk or sober on the day that you speak of, do you know that you took the money?—Yes.

3441. Did you give six sovereigns of that to your wife?—Yes.

3442. Were you drunk or sober when you went to Mr. Preston on any occasion afterwards?—I was not drunk.

3443. You were perfectly sober when you signed that note?—Yes.

3444. Was there any other seven sovereigns to which that note could apply?—No.

3445. Was there any other dealing between you and Preston, that could have reference to seven pounds but that?—No.

3446. In all the subsequent conversations you had with Preston about the money or the hemp, you were sober?—Yes.

3447. Did you go to Preston on the occasions that you went to his bed-room, without being sent for?—No, certainly not.

3448. When you got there, he said to you what do you want, you turned upon him and said, what do you want, and so you kept going on?—Yes, for a long time.

3449. Now you say you knew what he wanted?—Yes; I judged that he wanted me to say that I wanted some money; I could not think no other thing than that.

3450. Had your father spoken to you about that note before?—Yes; he said to be sure not to take a farthing of money.

3451. And your father then advised you to get this note back?—Yes.

3452. Your father is a Blue?—Yes.

3453. Do you mean that Preston put the hemp into the scale?—I put the hemp into the scale, and he weighed it; he superintended it; he put the weights in himself, and he helped to get the hemp out again of the scale.

3454. Do the Committee understand that two men went to assist in that, or went upon that occasion?—Yes.

3455. Were they his men?—No, they were mine.

3456. Did they assist in weighing?—No.

3457. For what purpose did they accompany you?—To load the hemp on to the barrows.

3458. They had nothing to do with the weighing?—No.

3459. You put the hemp in and he put the weights in?—Yes.

3460. So that with the exception of those two men, you and Preston were the only parties?—Yes.

3461. You said that your uncle heard Preston say before the election, why do you not come to me?—Yes, I did.

3462. What was the meaning of it, was it why do you not come for hemp; what did you understand?—Mr. Preston asked me where I got the hemp from, I told him Mr. Watling's, and he asked the reason why I did not come to him, and I said because I always got credit at Mr. Watling's, and I did not know that you would let me have it, and he said, yes, come and get any quantity you like; I said I do not want any now, he said, at any time you want it you shall have it.

3463. That was before the election?—Yes.

3464. Was it in consequence of that you went to him to have hemp on credit?—Yes.

3465. Was

3465. Was his not letting you have hemp on credit the reason of your quarrel?—Yes.

3466. Was any body present at the time that Mr. Preston made the offer of hemp, upon credit, to you?—Yes.

3467. Who?—My brother and my uncle too.

3468. Are they here?—My brother is.

3469. Is your wife here?—Yes; the reason that Mr. Preston said so was at his house; I and my uncle and my brother went to Mr. Preston's to ask if he could get my brother a place in the preventive service, or in the police; and he said, yes, he could do it, said he, only let those two men get in and you may depend upon me for it.

3470. Is your brother a voter?—No, he is not.

3471. Is your brother-in-law a voter?—No.

3472. Before you went to Mr. Preston this last time to ask him to sell you hemp, you went to the other party for that particular quality?—Yes; I knew that he had not it.

3473. Did you go to him?—Yes; and I found that he had not any of that quality.

3474. And you then went to Mr. Preston?—Yes.

3475. When did you first mention the circumstance of having received the seven sovereigns?—Directly after that.

3476. And directly after you had received it?—Directly after I and Mr. Preston had had the words.

3477. How long after you had received the seven sovereigns did you mention the circumstance to any body?—I never mentioned it to any stranger at all.

3478. When did you first mention having received seven sovereigns for your vote?—I never mentioned it to any body but my father and my mother, and my wife and Mr. Shelly.

3479. When did you mention it to Mr. Shelly?—About a fortnight ago, before the barrister came down.

3480. Was that the first time you mentioned it?—Yes.

3481. What do you mean by before the barrister came down?—Before the barrister came down to look into the bribery at Yarmouth.

3482. You allude to a very short time ago?—Yes.

3483. Did nobody know of your having received the seven sovereigns before that?—No.

3484. Had you a gig the day when you voted?—Yes; the first day.

3485. You took your father out in that gig, and your brother got out of it when you got to your father's house, and then you took your father and your mother and your wife; did not those know that you had received the seven sovereigns?—Yes, my friends did.

3486. You asked for ten sovereigns; whom did you first ask for ten sovereigns of?—Mr. Praed.

3487. After that, did you see Mr. Praed again?—Yes, I saw Mr. Praed several times.

3488. Had you seen any body in the mean time, between asking him for the ten sovereigns and your seeing him again about it?—No, I cannot say that I did; Mr. Praed came down several times, and I told him what I wanted.

3489. When did you first see him?—In the twine ground.

3490. How long before the election was that?—I should think four or five weeks.

3491. How soon afterwards was it you saw him in the room as you state, when he was writing, and he said he would put you down for seven?—Very few days before the election.

3492–3. Had you seen any body in the mean time, upon the subject of the sum you were to receive for your vote, after seeing Mr. Praed?—Yes, Mr. Preston.

3494. Between the two times?—No, I saw Mr. Preston before I mentioned it to Mr. Praed; I had mentioned it to Mr. Praed, not exactly what I wanted at the twine ground, but Mr. Preston knew what I wanted, and said he should be able to satisfy all his friends; he said, "yes, yes, I hope we shall be able to satisfy all our friends."

3495. When was that?—At the twine ground.

3496. That was the first time?—Yes.

3497. No sum was fixed at that time?—No.

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3498. But your demand was fixed for ten sovereigns?—Yes, when I went to Mr. Praed's house.

3499. No demand was made by you for ten sovereigns till then?—No.

3500. Between that time and the meeting at the twine ground, had you seen Mr. Preston upon the subject of the money you were to receive?—Yes.

3501. Had any thing been settled?—No.

3502. You were to see Mr. Praed again?—Yes; I said I should like to see Mr. Preston, and Mr. Praed went straight with me.

3503. The first time you mentioned ten sovereigns, you believe you saw Mr. Praed writing in that room?—Yes.

3504. How soon after that was it you had a conversation with Mr. Lushington Preston, about seven sovereigns?—Not above two or three nights after that.

3505. What was that conversation?—That was when Mr. Preston came up to me in the Buck, and asked me what I wanted, and I told him I should like to have ten sovereigns, and he said, "Oh, no, we will give you five," and I said that would not do, and he said "we will give you seven, that is two more than they give the Barton Fishery."

3506. Was Mr. Praed's name mentioned in that conversation?—No, it was not.

3507. You are sure of that?—I am sure of it.

3508. You are quite certain of it?—Yes.

3509. He offered you five sovereigns?—Yes; I asked for ten and he said he would give five.

3510. How came you not to say at the time, that Mr. Praed had agreed that you should have seven?—I did not like to say any thing about it.

3511. Did you not mention Mr. Praed's name?—No.

3512. What did you agree with Mr. Preston for?—For seven sovereigns; that was what I had.

3513. Did you see Mr. Praed at the bowling ground, or on the twine walk?—At the twine walk.

3514. Is the twine walk your own place of business?—It is my own place of business.

3515. When you went into that room, into the public house where you had made the mistake, the first time you had gone into the bed-room, and the servant told you you must go down stairs, had you seen Mr. Praed so frequently before, that you were certain that the party who made the representation to you was Mr. Praed?—I am quite sure of it.

The committee room was cleared.

After some time, Mr. Praed was called in, and the Evidence which affected himself was read in his presence; and the parties were then called in, and informed that such parts of the Evidence had been read.

William Gardner, called in; and further Examined.

3516. You say you went three times to Mr. Preston's?—Yes.

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3517. How came you to go the other twice, when Mr. Preston did not seem to know what he wanted with you?—The reason that he said so is, because he thought that I would say that I wanted money; all the reason that I can give is, that Mr. Preston wanted me to say that I wanted money; he could have no other reason; he certainly sent for me.

3518. That was what you thought?—Yes, when he sent for me I did not think of it, till he began to say, "What do you want."

3519. Having had a sort of conversation with him the first time which you have told, how came you to go twice more?—Once more after that.

3520. How came you to go once more?—He sent for me again.

3521. How came you to go after the conversation when he said, "What do you want;" and you said, "What do you want?"—I spoke to my father about it, and he persuaded me to go.

3522. You had a suspicion that he wanted you to ask for money?—I thought so.

3523. And your father told you not to receive any?—Yes.

3524. How was it then you went?—He asked me if I wanted money the second time, and I told him, "No, I had had enough of his d——d money."

3525. How

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3525. How came you to go the third time?—I never went a third time, I went out twice; the other once was at his counting-house.

3526. You went three times, during which there was a conversation about what each wanted?—He sent for me only twice.

3527. It was not until the poll had begun that you had received the seven sovereigns?—I should think it was about the time that the booth opened.

3528. How far were you from the polling-place when you were at the committee-room, where you received the seven sovereigns?—I should think 200 yards, or more; perhaps it might be more, but that is somewhere about the thing.

3529. Who was it that proposed your giving the note for 7*l.*?—Mr. Preston.

3530. When was that?—That was a week or so after the election; the election had not been long over then.

3531. And you gave it?—I signed my name to it.

3532. And left the note in his possession?—Yes.

3533. It was his wish that you should give it?—It was.

3534. And you expressed a wish afterwards that it should be destroyed?—Yes, I did not know exactly at the time the meaning of it when I was doing it.

3535. How came you to ask that it might be destroyed?—My father told me of it, and my father said, "You should never sign your hand to any thing;" and he told me to get it destroyed; and I went some days afterwards, and Mr. Preston said, "Who has been putting that into your head?" and I told him that it was my father; and he said, "Abide for a week, and you shall see it destroyed;" and I went in a fortnight, and he told me to come in another week, I went in another week after a fortnight, and it was destroyed.

3536. Without any difficulty?—Yes, I saw him burn the note.

3537. Had you had any dealings with Mr. Preston about the hemp before that?—Yes.

3538. About the hemp, that was paid to you when you put the weights in the scale?—None at all.

3539. How long was that before the note was given?—It was after the note was given, some time after.

3540. How long after?—Six months, I should think, I dare say it was six months; I may say more than six months.

3541. How long is it that you bought the hemp of him?—Only three weeks ago.

3542. You say you gave to your wife the six sovereigns, when was that?—The morning of the election when I went home with the gig.

3543. You say you went immediately to the poll after you had received the seven sovereigns?—Yes, I went straight to the poll.

3544. How soon after you had polled did you go home?—It was not above half an hour, or an hour, at the longest.

3545. That morning?—Yes, as soon as ever I had got my breakfast; it was half an hour altogether, my breakfast and altogether, and I got my breakfast after I had polled.

3546. And then went home?—Yes.

3547. Where was your wife?—At home.

3548. Have you any other family besides her?—None.

3549. Are there two rooms in your house?—Two on the ground floor and two above.

3550. Was there any body in the house at the time you gave her the six sovereigns?—No, my brother-in-law. I gave my wife the six sovereigns at my mother's house, now I recollect; I did not give them at my own house, I gave them at my father's house, and my father saw me giving them; I drove down in the horse and gig; and my wife and me to my father's; and they went to my mother's bedroom, and gave my wife the six sovereigns, and my father and mother got into the gig, and my wife and myself, and drove off directly.

3551. Did your brother and your wife go together with you down to your father's?—My brother did not accompany me and my wife.

3552. Did you leave your brother in your own house then?—No, outside.

3553. He was in the house when you went home?—I took him home with me; he went in the gig home.

3554. You first got the gig before you went home?—Yes.

3555. Was it your brother or your brother-in-law?—My brother-in-law; I had no dealings with my brother in elections.

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3556. You and your brother-in-law drove in the gig to the house?—Yes.

3557. And then you drove your wife to your father's—Yes, I left my brother-in-law in the street.

3558. It was not there that you gave her the six sovereigns?—No, I did that at my father's.

3559. Who was there?—My mother.

3560. In the same room?—Yes.

3561. In the bed-room?—Yes.

3562. And your father and mother were together?—Yes.

3563. How came you to go into the bed-room to give her the six sovereigns?—Because my mother was dressing, putting on her things to go to Lowestoft.

3564. Why could you not have given your wife the six sovereigns before?—My wife was in the bed-room with the six sovereigns, and my mother said, you had better give it to your wife: my father was putting on his things too.

3565. You were the only person that was not in the room till you went in to give the six sovereigns?—I do not understand that.

3566. You went into the room and gave your wife the six sovereigns?—I was in the room some little time, I believe.

3567. How came you not to give it?—I did not give it at first, and I should not have given it then if my father and mother had not persuaded me.

3568. Your father and your mother gave you that advice?—Yes.

3569. What time was that?—Eleven.

3570. Did you soon start after that?—Yes.

3571. How long had your wife been in the room?—I should think ten minutes before I gave the sovereigns.

3572. You found her in the room?—I cannot say whether I found her, or whether we both went in together. If I recollect I would say, but I cannot speak to that; but we were all four in the room when I gave the money.

3573. You say, that when the offer was made to you of the use of a gig and horse, that you wanted to go to a place called Rolesby, on some little business of your own?—Yes.

3574. How was it, that when the gig was at your disposal you did not go there?—Because we put it off till another day, and went to Rolesby on another day.

3575. You went that day on a party of pleasure?—Yes.

3576. When the note that you talked about was burnt, was any body present?—No.

3577. In what room was it burnt?—In the counting-house.

3578. Is that the room where you stated you had seen Mr. Craske on another occasion?—Yes.

3579. The clerk was not present then?—No; it was the clerk's room, but there was no clerk in the room.

3580. Mr. Preston has two clerks?—Yes.

3581. One's name is Craske, and the other is Bunfalow?—Yes.

3582. Afterwards, when Mr. Preston sent to you, and you stated that you went to his bed-room and saw him shaving, who let you into his house?—The boy; the boy went up stairs with me.

3583. Then this boy must have seen you come to the house?—Yes; I rung the bell before I went in.

3584. What is the boy's name?—I do not know; I do not know that ever I saw him before.

3585. The second time, who let you in?—The same boy.

3586. You said that when you went to the Star you went too high?—I went into the servant's room, where she was making the beds.

3587. Do you know her name?—No.

3588. Was she the housemaid of the inn?—Yes.

3589. How came you to separate from Mr. Lacon?—He left me at the top of the stairs; he saw Mr. Praed coming out of Regent-street; he had a canvas cape over his shoulders; and he says, "here comes Mr. Praed now." Mr. Lacon then fetched Mr. Praed, and Mr. Praed ran faster than I did up stairs; he said, "come along, Gardner." I lost him, and I went up too high; and I asked for Mr. Praed, and the girl said, "you are wrong." I said "I am after Mr. Praed;" and the girl was rather startled with my coming into the bed-room, and there was a pair of boots in the bed-room.

3590. How was Mr. Praed dressed when you saw him afterwards?—I think he had a blue frock coat on afterwards.

3591. How many minutes do you suppose it was after you left Mr. Praed before you saw him again?—I should think seven or eight minutes.

3592. How much do you say that Mr. Praed said he would give?—Seven sovereigns.

3593. What did you say?—I said that would do, I should like to have had 10 best.

3594. Did Mr. Praed make any other remark?—Not at all; he was writing the whole time.

3595. What did you do then?—Came down stairs.

3596. Nothing else passed?—No.

3597. This was about three days before the election?—Yes.

3598. Have you stated the facts precisely in the order in which they occurred in your examination in chief?—Yes; Mr. Praed knows that I was in the room.

3599. Where was Mr. Praed sitting?—In the middle of the room; he was writing.

3600. What did he say?—I asked him how he did, and I told him I wanted a little hemp first; and he said, "I hope I shall be able to satisfy all my friends." I said, "I should like to have a little, I should like to have 10*l.*" Mr. Praed said that was too much, he would set me down seven; and I said, very well. As far as I know I never saw it set down; but he was writing the whole time.

3601. What did you do then?—I talked two or three minutes, not more.

3602. What did you say?—I cannot tell what I said; I was talking about the election, and hoped he might come in; and Mr. Praed said he saw very little fear of it if the men were but true.

3603. How long before this had you first seen Mr. Praed?—I should think four or five weeks.

3604. When was it that you saw Mr. Lacon and Mr. Praed together?—I saw Mr. Lacon and Mr. Praed together several times.

3605. Mr. Lacon, Mr. Praed and others?—That was on the Bowling-green.

3606. The night before?—Yes, the night before that.

3607. When did you see them on the twine ground?—They came down several times on the twine ground.

3608. It was the night before that you saw them on the Bowling-green?—Yes.

3609. Had you any dispute with Mr. Lacon about twine, but this hemp you have mentioned?—No, till I went down.

3610. No dispute at all?—No.

3611. Will you look at that paper, and read it?—I cannot make it out exactly.

3612. Just sign your name?—

[*The Witness signed his name.*]

3613. Now look at that paper, and read it?—I cannot read it.

3614. Cannot you read writing?—No; I can read a plain hand-writing.

3615. Then you do not know what you signed with Mr. Preston?—Yes, I know what I signed, because he read it over to me.

3616. You do not know what it contained?—Yes.

3617. Why cannot you read that paper then?—I cannot read that because it is not plain enough.

3618. Have you written any letter to Mr. Praed?—No, not one.

3619. Has your father?—No.

3620. Has your brother?—I believe he has.

3621. Is your brother a freeman?—No.

3622. What is your brother's name?—Thomas.

3623. Did you say that this meeting at the Star was two or three days before the election?—Yes, it was.

3624. Did you go to Green's after that?—Yes, we went and got a half crown ticket, that night.

3625. Was not that upon Christmas eve?—No, it was not, it was before Christmas eve that I had the ticket, then I went and gave the half crown ticket at Mr. Green's.

3626. When you went to Mr. Green's and had the half crown ticket, was it after you saw Mr. Praed at the Star?—It was before.

3627. Did you see Mr. Praed at the Star before you took the half crown ticket home?—Yes.

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3628. When you had the half crown ticket you went to Green's?—No, I received the ticket at Green's.

3629. Was that before Christmas eve?—Yes.

3630. How long after was it that you saw Mr. Praed at the Star that you had the half crown ticket at Green's?—The same night.

3631. Did you or did you not read that note at Mr. Preston's?—I could make it out after Mr. Preston read it himself.

3632. Did you read it or not?—No, but Mr. Preston read it to me, and I could see that it was correct.

3633. Did you not look at it yourself to see whether it was right?—I cast my eye over it and Mr. Preston read it over to me, and I signed it, and Mr. Preston knows that I signed it.

3634. Can you read that?—[*Another paper being shown to the Witness.*]—I cannot make it out.

3635. Read till you stick fast?—I can see the word Committee.

3636. You are in business, you buy and you sell, and when you buy you get a bill?—Yes.

3637. Can you read figures when you send in certain bills?—Yes.

3638. How do you make out your notes when you supply goods?—I can make it out very well then.

3639. Can you make out this?—"Borrowed of Mr. Preston 7*l.*" Yes, I can make that out.

3640. Had you any conversation with Mrs. Preston upon the subject of the 7*l.*?—I believe we had one time, because she asked me what was amiss, and I told her.

3641. Did she ever open the door?—No, she was in the passage at the same time that the boy opened the door, and with a child in her arms.

3642. Had you a conversation with her?—Yes, she asked me what was the matter up stairs, and I told her that Mr. Preston had sent for me, he said I wanted 5*l.* of him; she said, "I do not think any thing of the kind," "it is truth," I said, "you are as bad as your husband," I did say so to her.

3643. Had you any further conversation with Mrs. Preston?—No, because I opened the door myself and came out.

3644. In the conversation you had with Mr. Praed at the Star, what did you represent Mr. Praed's answer to be when you asked him for ten sovereigns, what did he say to you, that he would set down 7*l.*?—That he would set me down seven if that would do, and that is what I received.

3645. Did you see him write any thing?—Yes, he was writing the whole time.

3646. Did he take any particular book?—No.

3647. You saw this note of Mr. Preston's destroyed?—Yes, I did.

3648. How do you know it was the same note?—I cannot swear it was the note.

3649. Where did he take it from?—From the bench.

3650. Was it like that paper?—Yes.

3651. Did he read it before he burnt it?—No, he did not, he said "see that I burn it," and he burnt it directly.

3652. Did he say that it was the note?—Yes, he said that that was the note.

3653. Have you any reason to doubt that that was the note?—No.

3654. Try again if you can read that?—[*A paper being handed to the Witness.*]—I say that I have told the Committee the whole truth upon the questions which have been put to me.

3655. When you received a notice to attend here to leave Yarmouth to come up and give evidence, was that given you in the shape of a letter, or in what form?—I have it here.

3656. Was it written?—Yes.

3657. Could you read it?—Yes, I could make it out.

3658. Had you any difficulty in making it out?—Some words I had, and some I had not.

3659. How did you make it out?—My wife read it.

3660. Who brought it?—I took it myself at Mr. Cobb's.

3661. Then you probably had some explanation at the same time, of what the meaning of it was?—Yes; Mr. Barber came running after me and said that Mr. Cobb wanted me, and I went.

3662. When

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3662. When had you the first two-and-sixpenny ticket?—I cannot say the time.

3663. Was it before the election?—Yes; I had not one after the election.

3664. Was it the Friday before the election?—Yes, I think so.

3665. On the Thursday?—No.

3666. Had you on the Saturday?—I cannot say whether I had or not.

3667. Did you see Mr. Praed two or three days before the election?—Yes.

3668. Where?—In the market.

3669. Did he speak to you?—No.

3670. Did you speak to him?—No, I saw him on the green canvassing about.

3671. Did you see him on the twine walk two or three days before the election?—No, I saw him four or five days before the election.

3672. On the twine walk?—Yes.

3673. Had you any conversation with him?—He asked me to poll; he asked me the reason I would not promise him, and I said I would not promise either party, because Mr. Praed knew well what I wanted; I told him I would not promise him, no more I did not.

3674. Had you any tickets on Christmas-day?—No.

3675. You said that when you got your first ticket you made some little mistake; you talked about a 2*s.* ticket, you have explained to the Committee that it was half-a-crown ticket, but you received 2*s.*?—It was a half-crown ticket, and we drank till one or two o'clock in the morning.

3676. Did you receive this ticket from Green?—Yes.

3677. At what time of the night?—About eight or nine o'clock.

3678. When you first went to Green's?—After I had been there some little time.

3679. But you remained till one or two?—Yes, between one and two.

3680. Did you drink only six-pennyworth of liquor then?—Yes; for we had cans and cans of liquor, every man round paid 6*d.*

3681. You had a great deal more than six-pennyworth?—Yes; more than half-a-crown's worth.

3682. When you were at Green's, a man accused you of drinking with the Blues?—That was the night before the election.

3683. Had you been drinking with the Blues?—No, I will swear that I had not.

3684. Before you went to the committee-room at the time you received your money, had you been drinking?—Yes.

3685. How much drink do you suppose you had?—I cannot say, but I was rather tipsy.

3686. Before you saw Mr. Praed at the Star, had you been drinking?—No.

3687. Had you had nothing?—No, that day I had had nothing.

3688. You said that some body promised your brother something?—That was a place in the preventive service or the police.

3689. Who promised him that?—Mr. Preston; I do not know whether Mr. Praed did.

3690. Was that promised in your presence?—It was.

3691. By whom?—By Mr. Preston.

3692. What did he say?—Only "let those two men be returned, and then depend upon me for it."

3693. What did you understand by that?—Depend upon Mr. Preston for getting the place.

3694. What place?—A place in the preventive service.

3695. Did your brother ask for a place in the preventive service?—He did.

3696. Did you hear him?—I did.

3697. Did he get it?—No.

3698. Did you not tell the Committee about a person that was knocked down stairs, and had his collar-bone broken?—That was my father, at the Angel.

3699. Did you not tell the Committee, that notwithstanding that, your father came to the house where you were, and drank gin?—Yes.

3700. With his collar-bone broken?—Yes, he was tipsy the whole of the time, and I dare say, if he had broken his arm he would have gone about.

3701. Are you sure it was broken?—Yes, I saw it myself, as big as an egg.

3702. Did he ever consult a surgeon?—I do not know that he did.

3703. But you do not know that it is set to this hour?—No.

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3704. Had he ever any such accident before in his life?—No, he had not, or I should have heard him complain of it.

3705. Did he prosecute any body for the assault?—No; he went up to the Angel with a blue cockade on, and young Lacon said, "heave him down stairs," and they hove him down stairs.

3706. How long have you been a voter in Yarmouth?—It is the first time.

3707. When did you take out your freedom?—Three years last July.

3708. Did you pay any fees?—No.

3709. Did any body pay them for you?—Yes.

3710. Who paid them?—Mr. Green.

3711. Have you taken part in any elections before?—No.

3712. Not as a colour-man?—No. Mr. Green told me yesterday that he paid the money out of his own pocket.

3713. Were you a chairman?—Yes; I had my own name set down, and I got my brother-in-law to carry it for me.

3714. Have you the right of voting as a 10*l.* householder?—Yes.

3715. How was it that Green was there to take up your freedom?—I do not know.

3716. Were you an apprentice of his?—Yes.

3717. How many had he got?—Only me and my brother; I was turned over to him for the last seven months.

3718. Were you really and truly an apprentice all that time?—Yes, I was.

3719. Did you do any work for him?—Yes.

3720. What work did you do?—I was always at his call when he chose to call for me.

3721. When were you paid as colourman?—I was chairman, not colourman.

3722. How were you paid?—I got a sovereign.

3723. When?—A week or a fortnight after the election.

3724. Where?—In his own office.

3725. Did you ask him for it?—Yes.

3726. Did you keep it all yourself?—No; I gave one half to my brother-in-law.

3727. Is that the usual practice?—Yes, I believe so.

3728. You supposed you were doing what was usual?—Yes.

3729. Are you registered as a 10*l.* householder?—No.

3730. Is your father a Blue?—He did not vote at all; if he had voted he would have voted Blue.

3731. To whom did you first tell the story about the 7*l*; when did you tell it first?—I cannot tell how long it is ago; I think it is about three weeks ago.

3732. To whom?—To Mr. Worship, Mr. Shelly and Mr. Cobb.

3733. They knew the whole of this story three weeks ago?—Yes.

3734. How came you to tell anybody about it?—Because Mr. Preston had not behaved the thing that was right.

3735. Had you a quarrel with him?—Yes.

3736. You would not have done it except for that quarrel?—I do not know whether I should not; I dare say I should.

3737. Then, if you do not know whether you should not, why did you not tell it before?—I did not give it a thought till this disturbance took place in Yarmouth.

3738. Then the presumption is that you would not have told it but for the quarrel?—I do not know that I should.

3739. Your brother not getting his place in the preventive service made some difference?—No.

3740. Was it not your interest that he was to get it?—No, not altogether; it was for running about in the election service.

3741. Then the promise of a place in the preventive service was not a bribe to your voting?—No.

3742. What is Mr. Worship?—A lawyer.

3743. What is Mr. Cobb?—A tanner.

3744. You say that you did not give it a thought?—I should not have given it a thought, if Mr. Preston had not denied how things were.

3745. Did you expect that this thing was going to be brought up before the House?—I thought so from the talk.

3746. When did they begin to talk to you about it?—It was the talk in Yarmouth for some time.

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3747. How long?—For three weeks or a month ago.

3748. When you went to Mr. Preston to buy the hemp, clean hemp, had you any idea that you should realize the promise on behalf of your brother about the preventive service?—No, I did not give it a thought.

3749. Did you think he would keep his promise?—I had no interest in it at all.

3750. Had you ever attached any importance to it?—No.

3751. You never thought that from what he said?—I thought Mr. Preston would do it and would not go from his word; and I told him about my brother when he broke his word with me, I said, "There is my brother, you have not done the thing that is right with him."

3752. When you went up stairs, as you say you did at the Star, did you meet more than one person?—I did not meet one.

3753. When you were taken down to the Star by Mr. Lacon you went up stairs?—Yes, but I never met any body on the stairs.

3754. When you got on the stairs how many people did you see?—One.

3755. Were there more maids than one?—I never saw more than one.

3756. Is that the Mr. Lacon who was in the room of whom you have been speaking?—Yes.

3757. You say when the kick-up took place among the Blues, a man came down and said, "You will get to Newgate?"—I cannot say who it was.

3758. Was it a freeman?—I do not think it was.

3759. Was it a Yarmouth man?—Yes.

Mrs. *Hannah Gardner*, called in; and Examined.

Mrs. H. Gardner.

3760. DID you go any where with your husband on the morning of the election at Yarmouth?—Yes, I went to Lowestoft with him in a one-horse gig.

3761. Who went with you?—My husband's mother and his father.

3762. Did you at any time on that day receive any money from your husband?—Yes; he brought a gig home about half-past ten, as near as I can guess, in the morning.

3763. Was any body with him?—His brother-in-law, Johnson; and we went down to the factory; his father lives in a factory-yard in Yarmouth, and met his mother at the gate going up to market; and he asked his mother if she would go to Lowestoft with him, and his mother said, yes. As soon as his father came out of the factory; his father was upon business in the factory; and we went down to their house; he told me before I went away from my house. I should have said that he had received seven sovereigns, and when I got down to his mother's he took the money out in his hand, and I asked him to give it me, and he said he would keep it till he came home at night. I said, "No, nonsense, give it to me," and he gave me six sovereigns, and some silver he had in his pocket, which he kept.

3764. Where had you this conversation with him?—In his mother's house.

3765. In what part of the house?—In the bed-room.

3766. Who was there besides?—Only his mother, I think; his mother was there, I am certain; I do not know whether his father was, or who else was, but his mother was, I know.

3767. Had you not spoken to him about his money after he had told you of it, until that conversation at your mother's?—The night before he told me that he was to receive it.

3768. After he had told you that he had received it?—He told me he had received it, and I asked him what.

3769. Where was it you asked him to give it you?—In his mother's bed-room.

3770. How came he there?—I do not know; his mother was putting on her cap; and he is very fond of his mother, and his mother very fond of him; he was standing there.

3771. It was there you asked him?—Yes.

3772. Did he immediately give it you after the conversation that you have just mentioned?—Yes, he gave me the six sovereigns, and some silver he kept in his pocket.

3773. Did his mother say any thing about the sovereigns at the time?—His mother saw them; whether she said any thing I cannot tell.

3774. Do you remember her advising him to give them to you?—Yes, she told him to let me have them; I remember those words, and she might say more, but I cannot recollect.

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3775. From whom did he tell you that he had the sovereigns?—From Mr. Preston.

3776. You are certain that he stated that?—Yes.

3777. What did you do with the sovereigns?—We got some flour with one.

3778. What else?—We paid the rent with another, and what else I did I cannot say.

3779. How much was the rent?—The rent I think was 22*s.* 6*d.*

3780. How much flour did you buy?—About 18 stone, I think.

3781. How much was it worth?—I think it came to a sovereign and sixpence, but I do not know exactly; a sovereign and some odds.

3782. Do you recollect what you did with the rest of the money?—I do not; we spent some that day in going to Lowestoft.

3783. The first mention you heard of this 7*l.* was the night before?—Yes.

3784. You never heard before that he was to have 7*l.*?—Not 7*l.*; he said that they had promised that he should have some; he said that they had satisfied him.

3785. Had you not heard of the 7*l.* the night before?—I do not recollect.

3786. Did he ever consult you how much he was to ask?—He said he was compelled to vote for the Reds; at least he had promised he would vote when he took out his burgess letter; and I said if he must vote for the Reds, he should get what he could.

3787. Then you are a determined Blue?—Yes.

3788. And will do the Blues all the good you can here?—Yes, I would not do them any harm, and I would not do the Reds any harm by telling a falsehood.

3789. Did he say what he expected he should get?—He said he hoped he should get ten sovereigns.

3790. Did he go with you to Mr. Preston's?—Yes.

3791. What did he say?—That the Blues had got a hearing of the bribery.

3792. How long ago is it, two months since?—No.

3793. Two weeks ago?—Something about that time.

3794. Whom did you see?—Mr. Edward Preston.

3795. Who is Mr. Edward Preston?—Mr. Edward Lushington Preston.

3796. What did you say to him?—As we were going past the window, his aunt and I were together, and we heard these words; Mr. Preston said, "It is false, I never gave you any money," as near as I can recollect the words.

3797. You were not in the room?—No, we were passing the window, and I heard my husband directly say, "Nonsense, Preston; you know that you gave them me;" at least to that effect.

3798. How came you to go to Mr. Preston's at all?—He said, he would go and tell Mr. Preston that they had got a hearing of the bribery.

3799. Did he ask you to go up with him?—Whether he asked or I offered I do not know, but however I did go.

3800. Did any body go with you?—His aunt.

3801. What is her name?—Mrs. Lewis.

3802. Did you ever go with him at any other time?—No, not then; we went in doors at that time, after they had said those words; I understood my husband, as he came out, he saw us pass the window; he told Mr. Preston that it was I; I was then very sadly; I had been in very ill health, and I was not able to walk much about; my husband said Mr. Preston told him to ask me in.

3803. Did you go in?—Yes. Mr. Preston said, "Will Mrs. Gardner come in?" and directly I got into the room, my husband called out, "Oh, Hannah! Mr. Preston said he never gave me the seven sovereigns:" and I said, "Nonsense, what is the use of Mr. Preston saying such a thing as that, he knows that he did give it you?" and Mr. Preston said, "I did not give it you; it was them that went up to the poll that did give it;" and my husband said, "No, Preston, they did not give me, they never gave me a farthing;" as near as I can recollect, those are the words.

3804. Did you then leave?—I do not know whether there was any more passed; the clerk came in,

3805. What is his name?—Mr. Bunfalow, I think is his name, a dark young man.

3806. Did he say any thing?—Mr. Preston began to talk about the money, and my husband said, "Preston, do not expose yourself before your men; let us come out;" Mr. Preston said, "Well, we will go into the other room."

3807. Did you go with them?—Yes, and the clerk gave Mr. Preston the key to unlock

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unlock the door; when we got in there, Mr. Preston said, "Now, Gardner, if you be an Englishman, hold your own; you are a poor man; they cannot hurt you, but they can ruin me;" and my husband said something about "What am I to do?" I think those were the words; and he said, "Why, get out of town;" my husband said directly, "Get out of town! where should I go?" He said, "Take a walk up the road; but whatever you do, hold your own;" I think they were the words; I know that he repeated those words in one place in the conversation, "Whatever you do, hold your own." My husband said, "But you know, Preston, you gave me the money." He said, "No, I did not give you the money; it was young Sloman gave you the money." My husband said, "No, do not bring him in; young Sloman never gave me a farthing."

3808. Was there any thing more?—He said, "There was only last Saturday I came to you to ask you to credit me for five hundred weight of hemp," I think it was five hundred weight, "which you refused;" and I said, "Well, never mind, Mr. Preston would have credited you with a ton at the election time, but you have the money to pay for what you take;" that was two hundred weight, and I have the bills here to show; I did not tell him so.

3809. Did the conversation end there?—There was something about a bill of his father's, which was due two days before. Said he, "As for that, we have a great many bad debts; and there is your father owes 29*l.* odd," 10*s.* I think it was. "Well," he said, "Preston, that is not due." "Yes," he said, "but it is due." "Then," he said, "you will have it in five days, I know." I think the conversation ended there. I do not recollect any thing more.

3810. Was that the only time you were with your husband at Preston's?—Yes.

3811. When was this?—About three weeks ago, as near as I can tell.

3812. How came your husband to go first to Mr. Preston's; was it to tell him this story?—Yes, I think it was.

3813. Was he sent for?—I heard him say that he was sent for.

3814. Did they come to your house?—He told me that they went to his ground.

3815. Once?—I cannot say.

3816. Do you recollect any body coming to the house like an errand-boy or a messenger?—No, I do not.

3817. Do you know when your husband first received notice to come here?—I think it was last Thursday week; yesterday week.

3818. Did any body read the paper to him; was there a paper came down?—He brought it to me, I think; I do not know exactly.

3819. Did he read it to you?—Yes, of course, I knew what was in it.

3820. Can he read writing?—He can, but very imperfectly; he can just make out what it is, and sometimes he cannot make out.

3821. Did any body else speak about his coming to London; either against his coming or for his coming?—No, I do not recollect.

3822. No one came to your house?—I do not recollect.

3823. Was he half-over almost all the election?—He was pretty sober almost all the election.

3824. On the day that he polled, was he?—He was not very tipsy.

3825. The day before?—He had been drinking the day before.

3826. Was there any cause for fear in his driving you to Lowestoft; did he frighten you?—His father told him at one time that he would have the reins, but I did not know we were in danger.

3827. Did he get any more drink at Lowestoft?—Yes.

3828. Did you drive pretty fast?—Yes.

3829. He knew what he was about?—Yes, to the best of my knowledge.

3830. During the election, can you state your recollection of your husband's father meeting with an accident; do you recollect hearing that he had tumbled down the stairs, or hurt his arm or his leg?—I understood, at that time, that he had been knocked down the stairs.

3831. Did he suffer from it?—He had a large knock on his head.

3832. Did he break his neck or his collar-bone?—No, he did not break his neck.

3833. Did you ever hear that he consulted a surgeon about it?—No; I sometimes did not go for a week together.

3834. What aged man is he?—Forty-five, I should think, or near fifty.

3835. He was one of the party that went with you to Lowestoft in the gig?—He was more than half-and-half.

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3836. If he had broken his leg or his collar-bone or his thigh, you would have heard of it?—I should think so.

3837. He never did?—Not that I know of.

3838. Will you state the conversation again?—I will state as near as possible the words.

3839. Will you state what happened?—We were passing by the window, and I heard Mr. Preston say, "It is false, I never gave you the money;" and presently after I heard my husband's voice say, "Nonsense, Preston, you know you did." They opened the door, they both stood close to the door, and Mr. Preston said, "Come in Mrs. Gardner;" and my husband said, "Oh, Hannah! Mr. Preston says he never gave me the money."

3840. How did the conversation begin?—Mr. Preston said, "It is false, I never gave you the money." I think false was the word; my husband said, "Nonsense, Preston, you know you did;" and then the door was opened, and my husband called out, "Oh, Hannah! Mr. Preston says he never gave me the seven sovereigns." I said, "Nonsense, it is of no use for Mr. Preston to say such words, for he knows that he did give it;" and Preston said, "I did not give it, it was them that went up to the poll that gave it;" and almost directly after I think there was something passed, the clerk came in, and Mr. Preston began to talk to my husband, who called out, "Nonsense, Preston, do not expose yourself before your men, come out, Preston, let us go into the other room;" and the clerk gave him the key, and we went into the other room. Then Mr. Preston said, "Now, Gardner, if you be an Englishman, hold your own; they cannot hurt you, you are a poor man, but they can ruin me;" and, says he, "What am I to do?" "Why get out of town." "Get out of town, where should I get;" "take a walk up the road," I think it was, "Whatever you do hold your own." I am not certain that those were the words then; but that was repeated in one part of the conversation; he said, "You know, Preston, that you did give me the money." "I did not give it."

3841. In what room of the house was this?—We went into the clerk's room first; I suppose it is where the clerks sit, and there is another door situate quite opposite. I never was there before in my life, and then we went into that room.

3842. Do you know any thing about the dispute between your husband and Mr. Preston respecting the hemp?—Do you mean that which he took for the two guineas, or do you mean some that he refused to credit. My husband said to him, I asked you to credit me for 500 pounds of hemp, which you refused.

3843. Were you present at that time?—Yes. I said, "That is of no consequence, if it was the election time Mr. Preston would have credited you for a ton."

3844. What made you think that?—He was talking to Mr. Preston, and saying that he got his hemp of Mr. Watling, a hemp merchant in Yarmouth, and Mr. Preston asked him why he did not go to him, and he said, "I did not know you would credit me," and he said, "Oh yes, for a ton if you like;" that was in the election; and he came and told me, if I wanted credit I can get it of Mr. Preston.

3845. Is Mr. Watling a Blue?—I believe not; I believe he voted Red.

3846. What day of the week was it you went to Mr. Preston's?—Monday.

3847. Has Mr. Preston sent home the hemp that your husband buys?—Sometimes my husband takes his man for it, and sometimes when he buys a small quantity he brings it home himself, and then at some chance time. He gets very little of Mr. Preston, he generally gets it of Mr. Watling; but he had a bill, and he could not get in his money fast enough, and so he could not meet his hemp bill.

3848. Was that at Mr. Watling's?—Yes; so he went to Mr. Preston's, of whom he had 200 before; he had some hemp of Mr. Preston's before, that was for the two guineas, the money which they pay at election times.

3849. You stated that you had heard some conversation between your husband and Mr. Preston, do you know how your husband happened to go to Mr. Preston's?—I think it was to tell him of the inquiry that had been made into the election, and he told me one day that Mr. Preston had sent for him.

3850. Do you remember anybody coming to your house from Mr. Preston's?—No, I do not recollect.

3851. Were you ever at home when anybody canvassed your husband for his vote?—They generally went down to the ground.

3852. Do you recollect any gentlemen calling at your house on the election?—I think on the morning of the election there was somebody came to the door; I do not know who it was.

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3853. Did you hear any voices in the room?—I did.

3854. Did you recognize them?—No.

3855. You said that your husband mentioned to you the night before he got the seven sovereigns, that he was to get some money?—Yes.

3856. Did he ever mention before that time that he was to get some money?—He told me several times that he was sure he should.

3857. Did he state any particular sum that he had been promised?—He told me once that he thought he should get 10*l.*, and afterwards he told me that he should not get so much.

3858. On what day was that?—It was sometime in the canvassing time.

3859. Did he tell you that somebody had promised him that money?—The night before the election somebody promised him at the Buck Inn.

3860. Did he ever mention any other public-house?—No; I do not think he did.

5861. Did you go with him to any house before the election?—I went to Mr. Green's two or three times.

5862. Was your father there?—My mother-in-law was.

5863. Did you stop late?—Not very late; but I can recollect that was the night before the election; we went to the Buck Inn after that.

5864. Did you go into the Buck Inn?—Some young men took my husband in and I stood at the door till some young men came and told me that I had better go home, and I did not know what time it would be that my husband would come, and I refused; I thought he might get tipsy. He said he would go in and hear if I could go in; and he came out a few minutes afterwards and told me to walk in, and I went in and sat down; I think they call it the bar, I think it is the bar; the landlady was there.

3865. Did you sit down in the bar?—Yes, I think I sat three quarters of an hour; I think it was all that time.

3866. Did you go to any other house after you left the Buck Inn?—I came out after I had sat there sometime, I came into the bar, and the young man showed him where I was.

3867. At what time did you get home?—It was late.

3868. Before one o'clock in the morning?—I should think it was rather before that; I cannot say; it was late.

3869. Were there a number of the Blue men's wives there?—Not at the Buck.

Sabbati, 1° die Augusti, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON, IN THE CHAIR.

Mr. Baring stated, that he had received a notice from Mr. Ashurst, that the evidence might implicate him; and inquired whether he might have an agent to appear for him.

The Chairman stated, that certainly he might.

Mr. Ashurst inquired of Mr. Sherwood for whom he appeared.

Mr. Sherwood stated, that he appeared for the freemen of Yarmouth, and delivered in a letter, which was as follows:—

"Great Yarmouth, Norfolk, 25th July 1835.

"My Lord,—Referring to the resolution of the Committee appointed to inquire into the allegations of certain petitions complaining of bribery and corruption being practised at elections for members to serve in Parliament for the borough of Great Yarmouth, to the effect that any person or persons on the register of voters for the said borough shall, on application, be admitted as a party or parties to oppose the case of the petitioners from the said borough, we beg leave to state to your lordship our desire to avail ourselves of the permission granted by such resolution, and to appear before the Committee by ourselves, or by our agents, in opposition to such petitions.

"We have &c.

(signed) "*G. H. Preston.* *William Danby Palmer.*
"*Charles Corey.* *J. Mabson.*"

And stated, that he appeared on the claim of certain persons, whose names were on the register, to watch the case generally for them: that he did not appear for any individual, unless he was so retained by them; but as the case affected the borough generally, he appeared in that respect for the case generally.

Wm. Johnson.

1 August 1835.

William Johnson, called in; and Examined.

3870. WHAT are you?—A hemp-dresser.

3871. Where do you live?—In the factory-yard at Yarmouth.

3872. Are you a voter?—No.

3873. Are you a relation to Gardner, who has been examined here?—Yes, I am his brother-in-law.

3874 Do you recollect the evening of the day before the election?—Yes.

3875. Were you with your brother-in-law?—I met him.

3876. Did you go anywhere with him?—Yes.

3877. State where you went, and what you did that evening?—I went to Mr. Green's, in the Chapel-street; he keeps a public-house; we went into a long room at the back of the house. There might be twenty persons; some going and some coming. We had porter, and we had gin and water to drink; we never paid for any, and I never saw any paid for, and I never heard money asked for. Mr. Swan, the workhouse gate-keeper first sat in the chair; afterwards it was taken by Mr. Fyson. I do not recollect any thing particular that was said upon that occasion at the time we were sitting there. I think it was two or three hours. Mrs. Gardner called in, and told us that she had left Mr. Gardner, her husband, at his club, and thought he seemed rather unsettled, and might come down and make some uneasiness to see us at the Red house, he being a Blue.

3878. What Mr. Gardner was that; Gardner, the father?—Gardner, sen. We went out and spoke to Mrs. Gardner upon the subject, and we retired into a little room, a front room, at the front of the house, and we had something to drink there. At the time we were sitting there, a man came in of the name of Bowles, a rope-maker, a freeman, a man in the Red interest, and he abused my brother-in-law and me, and said we had been with the Blues all day, and came to drink at the Reds' expense at night. Mr. Gardner got up and said——

3879. Which Gardner?—The younger—the voter; and he got up and said, that if he had been Blue all day, he would be Blue to-morrow, and we retired out of the house. Mr. Green called Mr. Gardner back, and asked him if he would come down to breakfast the next morning, and Mr. Gardner told him, no; that he could not come to breakfast, as he had to go into the country. I think to Rolesby.

3880. Was this the night before the election?—Yes; the night prior to the election.

3881. Do you mean by that the night prior?—Yes; it was the nomination day.

3882. You think he named Rolesby; what did Green say?—Mr. Green asked him if he was going walking, and he said yes; and Mr. Green said, "Come down to breakfast in the morning, and you shall have a horse and gig to go with;" and he prevailed upon him, and he promised that he would come down, and he separated for the night; that was all that passed that night. The next morning I called at Mr. Gardner's house, and Mr. Gardner and I both went out together.

3883. At what time was that?—Between seven and eight in the morning, I think. We went down to a house called the Dolphin, an open Red house for boatmen. I do not think for freemen: what I mean is, that it was a sort of boat that Mr. Baring was carried in instead of a chair.

3884. It was an open Red house?—Yes, because I was there. I was a boatman. I was substituted for Mr. Gardner, and therefore I know, as far as that, I was billetted there.

3885. Go on with your narrative; did you have any thing to drink there?—No; from there we went to the Buck, and Mr. Gardner asked for two glasses of gin and water, and the landlord, Mr. Carrison, asked who he was, and he told him that he was a freeman in the Red interest; and he likewise asked who I was. I told the landlord that I was not a freeman, and only came with my brother-in-law. From there I went with him to the Red committee-room.

3886. Did you pay for that liquor?—No.

3887. W ha

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3887. What did Carrison say?—He did not say any thing more.

3888. Did he give him the gin and water?—Yes; then we went to the committee-room, and Mr. Gardner went up stairs, and I saw him speak to Mr. Preston, and I went away. I did not see any more; and I saw Mr. Gardner coming towards the committee-room to come out, and I went out, and he followed.

3889. Where did you see him speak to Mr. Preston?—In the committee-room.

3890. Where did you see Mr. Preston?—In the committee-room.

3891. Whereabout is that?—Upstairs.

3892. Did you see Mr. Gardner go into that room?—Yes; I saw him speak to Mr. Preston after he went into the room.

3893. Was that room door open?—Yes, it was, to the best of my knowledge.

3894. Did you hear what passed?—No, I did not, he went up to speak to Mr. Preston, and they walked away and I did not see what passed or hear anything.

3895. Where did they walk?—To one side.

3896. In the room?—Yes.

3897. What became of you?—I remained in the passage a few minutes till I saw Mr. Gardner coming, and I came down and he joined me in the passage and held out his hand and said, "Here Johnson, I have got it," holding out at the same time six or seven sovereigns, and just as we got outside of the committee room door in the street, Mr. Sloman came up and conducted Mr. Gardner to the poll; Mr. Gardner was going up to the poll, and Mr. Sloman came up at the time and conducted Mr. Gardner to the poll; going on he gave him two cockades and me one, and he went up and polled him for Baring and Praed, and we separated from Mr. Sloman; Mr. Gardner and me went to Green's to breakfast, as he had promised over night.

3898. How do you know that he voted for Baring and Praed?—Because Mr. Sloman gave him a card with "Baring and Praed" upon it, and Mr. Shelly was present and asked, "whom do you vote for," and Mr. Gardner said "Baring and Praed," and Mr. Sloman said "Baring and Praed."

3899. Was this in the booth?—Yes, I was standing along side of him.

3900. You heard him say "Baring and Praed"?—I heard him say "Baring and Praed;" Mr. Gardner and me went to Mr. Green's, as he had promised over night, and Mr. Green was there and he told Mr. Gardner and me to go into the breakfast room and get our breakfasts, the same room we were in over night, the long room, and we took our breakfast.

3901. Who was present at that breakfast besides you and your brother?—I had an uncle there of the name of Woodhouse, he voted for Mr. Baring and Mr. Praed.

3902. Do you recollect any body else?—No, I do not know that I could; I remember him because he handed me a glass of beer or ale to drink, and we returned to Green's to breakfast and partook of our breakfast, and went in search of a horse and gig; we went to Mr. Kent's, and Mr. Kent could not accommodate us with one, and we went from there to Mr. Bullen's, and Mr. Gardner told Mr. Bullen that Mr. Green desired him to obtain a horse and gig, and Mr. Green would settle with him for it; and Mr. Gardner asked Mr. Bullen if he would step to Mr. Green's house so that he might be satisfied; and Mr. Bullen did so, and I went with them; Mr. Green was not at home at the time; Mrs. Green was present; Mr. Gardner told her that Mr. Green had ordered him to obtain a horse and gig, and Mr. Green would settle for it, and she said she did not know any thing about it, but she supposed it was right; and Mr. Bullen said that that would do, that he was satisfied; I went with Mr. Gardner and Mr. Bullen back to the stables; he ordered the horse to be harnessed and put in the gig, and I jumped up in the gig along with my brother and rode off to Mr. Gardner's house, and I saw Mr. Gardner and Mrs. Gardner get up and drive in the direction to the father's and mother's house, that is all that I have to say gentlemen.

3903. Were you present at any row at which old Gardner was a party?—No.

3904. You know nothing about that of your own knowledge?—No, I do not remember any thing of the kind, I was not present.

3905. Do you live in Gardner's house, do you know that the old man there had got hurt by any body?—Yes, I know that he got hurt.

3906. You went to the committee-room with Mr. Gardner?—Yes.

3907. Did any body else go with you there?—No one besides Mr. Gardner.

3908. When did you first see Mr. Preston?—In the committee-room.

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3909. Which committee-room?—The Red's committee-room.

3910. Up stairs?—Up stairs.

3911. Did you go into the committee-room?—No.

3912. Was the door open?—Yes, it was open when Mr. Gardner went in.

3913. Did you see into the room?—Yes.

3914. Could you see any body there?—Yes, I saw Mr. Preston and two or three gentlemen that I did not know.

3915. Where was Mr. Preston standing?—Towards the window.

3916. Where were the other gentlemen standing?—In the middle of the room.

3917. All in a knot together?—No, I did not notice them talk; I did not take particular notice of what transpired, as I did not expect to be called upon to speak to it; curiosity never led me to do it.

3918. Do you know who the gentlemen were who were in the room?—No.

3919. Did you know none of them?—No, only Mr. Preston.

3920. When Gardner came out of the room, who was standing on the stairs?—I do not remember.

3921. Were you standing near?—I came down before Mr. Gardner, and Mr. Gardner met me in the passage; I was down first.

3922. Was any body with him then?—No; I do not remember any body being with him.

3923. Where did you first meet Mr. Sloman?—Just outside of the committee-room door in the street.

3924. You are sure of that?—Yes.

3925. And you are sure that you met Mr. Sloman in the street?—Yes, he came behind us; I do not know whether he came out of the committee-room or the street, I cannot say.

3926. Which Mr. Sloman is that?—The youngest Mr. Sloman.

3927. What is he?—I think he is a schoolmaster now; but his father keeps a large stationer's shop, and he is a book-binder.

3928. It was that gentleman that you met, when you came out of the committee-room into the street?—It was that gentleman that came up to us.

3929. You did not see him in the committee-room in the house?—No, not to my knowledge.

3930. But he came up in the street?—Yes.

3931. And he went up with Gardner to the poll?—Yes.

3932. How many gentlemen besides Mr. Preston were in the room at the time?—There were three or four; I do not particularly remember.

3933. Do you think there might be any others in the room, besides those three or four?—I cannot say; I did not go into the room.

3934. Were those three or four gentlemen standing talking together?—Yes, they were conversing one with another; I did not take particular notice, nor yet heard what they talked about.

3935. Whereabouts were they standing?—In the centre of the room.

3936. You are sure they were not standing near the window?—No, Mr. Preston was standing near the window.

3937. Was the window opposite?—Yes.

3938. What sized room?—A largish room.

3939. As large as this room?—No, I did not go in; I did not see the dimensions of the room; from the size of the house, I should think it was a largish room.

3940. Could you see the fire-place as you stood?—I do not remember.

3941. Was there any table in the room?—I do not remember seeing any.

3942. How was Mr. Preston dressed?—I think he had a white cloth hat on; I did not go near enough to know, but it was a white hat I think; whether it was cloth or not I cannot say.

3943. During the late election, did you see a good deal of the present members?—No, not particularly; I never saw any great deal; I am only a working man, and I was obliged to attend to my work.

3944. Have you seen them since you have been in town?—I saw Mr. Praed coming up stairs yesterday.

3945. You know him by sight?—Yes, I saw him chaired and Mr. Baring; I helped to chair Mr. Baring.

3946. You know them both by sight?—Yes.

3947. Did

3947. Did you see Mr. Praed or Mr. Baring at any time during that day when Gardner was at the committee-room?—I do not remember that I did.

3948. You do not think that you did?—I do not think that I did.

3949. Do you think they were in the committee-room at the time?—I could not say that.

3950. You did not see them in the room?—No, I did not notice; they might have been there.

3951. You say you saw three or four gentlemen; were Mr. Baring and Mr. Praed two of those?—I do not know who they were, they were strangers to me.

3952. You know Mr. Baring and Mr. Praed by sight?—Yes.

3953. But you do not know whether Messrs. Baring and Praed were there?—No.

3954. How were those gentlemen standing, in reference to Mr. Preston and Gardner?—They were not standing any way particularly, no more than people might be standing talking.

3955. Looking at Gardner and Preston?—I do not know, I did not observe; I am not a voter and a freeman, and I never took any active part in it whatever.

3956. You did not go into the room with Gardner?—No, I stood on the landing-place.

3957. He came out of the room and showed you the money, and said he had got it?—Yes.

3958. Did Mr. Preston come up with Sloman, to Gardner and you in the street?—I do not remember that he did; he might, for all that I know, have come up and spoke, but I do not remember it.

3959. The day before the election, had you any drink anywhere except at Green's?—No, not before that evening; that was the first that I had.

3960. Had you had any drink in the morning of that day?—No.

3961. On the day of the election, where did you go to?—After Mr. Gardner took his horse and gig, and took his father and mother and his wife into the country, I went into the Dolphin; that was where I was stationed to be a chairman.

3962. Did your brother change any money at any time that day?—Yes, he went and bought a hat, after he left Mr. Green's, in the market-place; I think the man's name was Starling.

3963. What did he give for that hat?—He gave 9*s.*, I think, change for a sovereign.

3964. Was that before or after breakfast?—That was after breakfast, to the best of my knowledge; it was when we were going after the gig.

3965. Did you see him buy it?—Yes, I went in, and he left his old one to put on the new one.

3966. How came you to be appointed chairman?—Being a relation, every freeman is allowed a substitute, and I was Mr. Gardner's substitute.

3967. Did he give you any thing?—There was a sovereign allowed, and Mr. Gardner gave me 7*s.*

3968. You are a hemp-dresser by trade?—Yes.

3969. Are you dissatisfied with your present business; have you been looking out for any thing better?—No.

3970. Never asked for a better situation?—No.

3971. Never made an application to be made an exciseman?—No, I have not.

3972. And you never had a promise of being made an exciseman, or preventive service man?—No.

3973. You never heard of such a thing?—No.

3974. Has Mr. Gardner any brothers?—Yes, he has one.

3975. What is he?—The same as myself.

3976. Is he satisfied with his trade?—For aught I know, he is.

3977. Do you know whether he is looking for any thing better?—I think he has been looking for some situation.

3978. Do you know whether he has made any application to any gentlemen in Yarmouth?—I think I have heard something about it, but I could not answer.

3979. Not that you recollect?—Not that I could satisfy you in.

3980. Where did Sloman get those cockades?—He had them in his hat.

3981. He did not go into any shop?—No.

 3982. Do

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3982. Do you recollect the size of this landing in the committee-room?—Yes, it is a largish landing.

3983. Are you positive that Mr. Sloman was not on the landing with you?—No, I never saw him there.

3984. Not when Mr. Gardner was there?—I went down and saw him come.

3985. Did you get a ride in this gig?—I went from Bullen's to Mr. Gardner's house, and I saw Mr. Gardner get up with his wife, and go away in the direction of his mother's house.

3986. Did you go into Gardner's house?—Yes; and his wife dressed herself, and got fit to go.

3987. When they drove off what did you do, did you remain at his house?—No, the house was locked up, and I went to the Dolphin, where I was stationed.

3988. What time did Gardner and you part the night before?—I should think about ten o'clock.

3989. Where did you leave him?—In the Yarmouth market-place; my mother-in-law and his wife, and my wife, and we all went to the market-place then.

3990. Was your wife with you at Green's?—Yes.

3991. There was old Gardner and his wife, young Gardner and his wife, you and your wife, all together?—No, old Mr. Gardner was at his club; Mrs. Gardner was afraid that he would come down and make some uneasiness.

3992. Who was it that Bowles began to quarrel with?—Mr. Gardner and me.

3993. Young Mr. Gardner?—Yes.

3994. Was that the only cause of complaint, that you had been drinking with the Blues all day?—Yes, we did not stop the issue of it.

3995. Was Mr. Bowles drunk?—Yes, that was the reason we retired; we were not tipsy; we were not fit for the other company.

3996. Had you drink after that?—No, I do not remember I had.

3997. Had you any drink after Bowles abused you in this way?—No, we left what drink we had on the table.

3998. How are you Gardner's brother-in-law?—I married Mr. Gardner's sister.

3999. Do you lodge with old Gardner?—Yes, I do now.

4000. Do you remember, about this time you said that you knew that he had got an injury in the collar-bone about this time?—Yes, just at the time of the election he was out all night, and the next morning he complained of a hurt; his collar-bone.

4001. Did you ever see it?—Yes, there is a bone sticks up almost as high as an egg, and it was displaced, or something; I do not understand any thing about the human frame, and I cannot say what is the matter with it.

4002. At that time he complained of the collar-bone, and he showed it to you?—Yes, and I saw leeches put on.

4003. Was he attended by a surgeon at that time?—It is so long ago that I can hardly recollect; I think he was.

4004. Who put on the leeches?—A woman of the name of Large, a neighbour.

4005. You say you met Sloman in the street, or he came up to you in the street, as you were going out of the committee-room; had you seen him before that day morning?—No, I had not.

4006. Did you not see him in the house at all?—No.

4007. You did not see him in the room?—No, not to my knowledge, I did not.

4008. How came Mrs. Green to let you have the gig?—I do not know how she came to do it; she did not seem to dispute her husband's statement; she did not dispute but what it might be right.

4009. Did she say any thing?—No, nothing more than I have stated.

4010. Do you carry on business on your own account?—I did, but I do not now; I work for Mr. George Giles, a fish-merchant in Yarmouth.

4011. Where do you get your hemp from?—I have had it from Mr. Preston; we had some in from Mr. Shelly, since he has had some imported.

4012. Can you tell the Committee when Mr. Gardner first mentioned to you the subject of getting any money for his vote?—I could not remember.

4013. Did he say any thing about it at Green's, the night before the election?—I think there was something mentioned about having 7 *l.*

4014. How much did Gardner pay for his hat?—I think it was 9 *s.*

4015. Of what house is Carrison the landlord?—The Buck.

4016. If you lodge at old Gardner's house, do you recollect at what time your mother-in-law

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mother-in-law came on the night before the election?—It was very late; she was waiting for her husband coming out of the club; he did not come as she expected he would have done.

4017. Did you ever go with Gardner, or any body else, to ask for some hemp of Mr. Preston?—No.

4018. Gardner has a brother?—Yes, he has a brother.

4019. What did you mean, when you said that old Gardner was at his club?—At his benefit club; it was the night of the club.

4020. Did they allow great quantities of drink on the meeting of that club?—I do not know; I was never present at any club meeting.

4021. But you said that he was in that state, that his wife said that you had better not meet him, for he would kick up a row?—He was unsettled, she said; I do not know whether he was in liquor.

4022. What money was it that Gardner showed you, a note?—No, it was sovereigns.

4023. How many?—Six or seven.

4024. Do you know whether Mrs. Gardner is a Red or a Blue?—No, I do not know exactly her principles; I think she is a Blue.

4025. Did you ever hear her converse with her husband about it?—No, I did not, to my knowledge.

4026. When you left Green's that night, did you see Gardner and his wife go home?—No, I did not.

4027. You left them in the market-place?—Yes, me and my wife walked up with Mr. Gardner to the club; she waited opposite the club for her husband.

4028. Where did you leave Gardner the voter?—In the market-place.

4029. Is that on his way home?—Yes.

The committee-room was cleared.

After some time the parties were called in.

William Prentice called in, in the custody of a Messenger; and further Examined.

Wm. Prentice.

4030. *Chairman.*]—The Committee, acting in pursuance of the order of the House of Commons, which directs that you shall appear before them from time to time, has instructed me to ask you now, whether you still continue to decline answering the question which has been asked of you, or whether you have changed your determination?—Decidedly; I adhere to that, of course.

4031. Then it will be of no use to trouble the serjeant-at-arms to bring you up again?—I shall persevere in it, that is my firm determination.

4032. It will be of no use bringing you up again?—No, I am quite sure of that.

4033. If you change your mind, will you inform the serjeant-at-arms of that?—If I should, I will let you know.

Thomas Gardner, called in; and Examined.

Thomas Gardner.

4034. WHAT are you?—A flax dresser.

4035. Where do you live?—In King's Head Row, Yarmouth.

4036. Are you a voter for Yarmouth?—No.

4037. Are you apprenticed to any body?—I served my apprenticeship first with my father; but I was apprenticed again for my freedom.

4038. Who were you apprenticed over again to?—Mr. Green.

4039. Did you serve him then during your apprenticeship?—I did not serve that out.

4040. What age are you?—Twenty.

4041. Were you hired during the election?—I was told that I should get recompense for my loss of time for what I did.

4042. Were you hired by any body during the election for any purpose?—They told me that I should get recompense for the time.

4043. Who told you?—Mr. Sloman.

4044. State what Mr. Sloman said to you, or you to Mr. Sloman, and what you were to do when you should see him?—On the way to the Buck.

4045. When was this?—The night before the election.

4046. What did you say to him, or he to you?—As near as I can, he asked then

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then if I knew any freemen; I told him that I did; he asked me if I could fetch them; I told him yes, I could; I went and fetched them, and I was about fetching them, and I took them to the Buck; there was a large quantity of gentlemen assembled there, but I do not know their names, only one gentleman, that was Mr. Lacon.

4047. Which Mr. Lacon?—As far as I can understand.

4048. What do you know?—It was not that stout man.

4049. Is he in the room?—It was the father of young Mr. Lacon, not this gentleman.

4050. Is he an old gentleman; is he as old as Sir Edmund Lacon?—I do not know Sir Edmund Lacon.

4051. Had the gentleman, to whom you now are referring, hurt his leg?—His son hurt his leg.

4052. Did you see the son, or the father?—I saw both of them.

4053. Which of them had hurt his leg?—His son.

4054-5. Did you see that Mr. Lacon, who had hurt his leg, and the father of that Mr. Lacon, at the Buck?—Yes.

4056. You are sure of that?—Yes.

4057. You are distinct in your recollection about that?—Yes.

4058. Do you know their christian names?—No, I do not.

4059. Did you know any other of the party?—Yes; I knew another young man, of the name of Shrieve, a tailor.

4060. Young Shrieve, is it?—Yes.

4061. When you had got the freemen, and took them to the Buck, did you go into the Buck with them?—Yes.

4062. What took place there?—They were taken into a private room.

4063. By whom?—By Mr. Sloman.

4064. Then Sloman also was at the Buck?—Yes.

4065. Did you see them come out of that room again?—Yes.

4066. How long were you engaged in getting persons to go to the Buck?—I was engaged the night before the election, till about noon the last day.

4067. What time did you go to bed that night?—I never went to bed at all.

4068. Were you engaged all night?—Yes.

4069. Where did you pass the night?—All about the town

4070. How many, do you think, during the night, you took to the Buck?—I cannot say.

4071. Do you know whom you took?—No, I do not; they were all total strangers to me.

4072. Explain, if you can, how you were enabled to take voters to the Buck, if they were total strangers to you?—I asked them if they were freemen, and they said yes.

4073. Then what did they say?—I asked them if they had voted; some said yes, and some said no; those that had not voted, I asked them if they would go along with me, and they asked me where it was, and went with me.

4074. What did you tell them, to induce them to go with you?—I asked them what they wanted.

4075. What did you mean by that?—I asked them what money they wanted; and one man, I do not know his name, said he wanted two guineas, for his voting-money; he was a Blue the election before this here election, and he said he wanted his two guineas.

4076. Did he say he had been a Blue; how did you know him?—He said he had been a Blue; I do not know him, and they went into the room, and after they came out of the room, I asked them if they were satisfied, and they said perfectly so.

4077. He went with you to the Buck, that man of whom you have been speaking as saying that he had been a Blue?—Yes.

4078. Did you see him go into the Buck of whom you have been speaking?—Yes.

4079. Whereabout did you go with him?—I went into the large room.

4080. Where did you quit him?—He left me in at the large room.

4081. And he went into another room?—Yes.

4082. On the same floor?—I cannot exactly say, it is such a while ago that I cannot say, I saw some go to Mr. Costerton's when I took them to the Buck, I cannot exactly say the room that they went into.

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4083. How could they tell if you took them into the large room where they were to go, did you show them?—Mr. Sloman did.

4084. Did you take them to Sloman?—Yes.

4085. What did you say to Sloman?—I did not say anything, he knew what I had got.

4086. How did he know?—Because he knew what I was going after.

4087. What did Sloman say to you at the time he hired you?—He told me that I should have to go about to get up all the freemen that I could, and I should get recompensed for it.

4088. And you were engaged during the night preceding the election in so doing all night?—Yes.

4089. Tell the Committee as nearly as you can, how many persons you think you took from the time you began to the time you finished at 12 o'clock that day?—I cannot say.

4090. How many do you think?—I cannot exactly say, it might be 20.

4091. Do you think there were 20?—I dare say there was.

4092. Where did you go to find freemen, had you any list given you?—I went into the town into the different houses all about.

4093. What houses did you go to?—The Saracen's head, Mr. Wiley's.

4094. Did you find any at the Saracen's head?—Yes.

4095. Where else did you go to?—Mr. Wiley's.

4096. What house does he keep?—Fish-stall house, that is the sign.

4097. What other house did you go to?—I cannot exactly say what house now.

4098. Was your mode of finding out freemen to go to public houses about the town?—I took them from there.

4099. You found them first before you took them?—I found some there and some in the market standing about, and then I took them to the Buck.

4100. When you saw a man standing about, what was your question to him?—I asked him if he had voted.

4101. How do you know that they were voters?—I knew from seeing them having a cockade on, I judged that, I could not tell.

4102. Did you ask any body who was not a voter?—Yes.

4103. If they said they were not voters, you had nothing more to do with them?—No.

4104. You think you took 20 to the Buck?—Yes, I dare say I did.

4105. You have spoken of one man as coming out when they came out, did you see them?—Yes.

4106. Some of them?—Yes.

4107. Did you see any of them with money?—I did not.

4108. Had you any conversation with any of the people afterwards?—Yes, I asked them if they were satisfied, they said yes; I asked them what they had got.

4109. Did you see any of those men vote?—Yes, I saw one.

4110. Did you see any other?—I cannot say distinctly that I did.

4111. Consider a moment whether you did or did not?—I cannot exactly say whether I did.

4112. But you are sure that you saw one of the men whom you had taken to the Buck, and who afterwards came from the Buck, poll the next day?—The same day.

4113. You asked some of them, who said that they were satisfied with what they had got?—Yes.

4114. Did you ask that one man whom you saw poll?—Yes.

4115. What was his answer?—He said he was perfectly satisfied.

4116. Did you ask that man whom you saw poll what he had got?—Yes.

4117. Did he tell you?—Yes.

4118. What did that man say that he had got?—Four pounds.

4119. Did you ask any of the others?—Yes.

4120. What was the name of that man?—I cannot tell.

4121. Should you know that man again?—I might know him if I was to see him.

4122. Do you know what trade he was?—No, it was not my business to ask.

4123. Do you know where you first saw him?—In the market.

4124. Whereabout?—Near to the Cross.

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4125. Had you ever seen him before that period?—No, I do not recollect.

4126. Have you seen him since?—No.

4127. What sort of man was he?—A little short man.

4128. What age?—I suppose he might be six or seven and twenty.

4129. How was he dressed?—Blue jacket and blue trowsers; I think it was a blue jacket or a blue coat. I know that he had blue trowsers, and it was a blue jacket or blue coat.

4130. What did you take him for?—I cannot say.

4131. What time of the day did he poll?—That I can hardly tell.

4132. Where did he poll?—At the Red booth.

4133. Was there only one Red booth?—There were only two booths.

4134. What were those two booths, one for the Blue voters and one for the Red voters?—Yes.

4135. Do you mean that in the town of Yarmouth there are no more than two booths altogether?—Only two.

4136. State, if you recollect, and mind you do not state any thing that you are not clear about, did any of the other men say how much they had got?—No, I do not recollect; some said four and some said five, that is all that I know.

4137. You are sure that you asked more than one or two or three?—Well, I might ask more.

4138. And that you got that answer more than twice?—I dare say I did.

4139. Can you name any one man that you asked that gave you such answer?—No, I cannot; to the best of my recollection I do not know one.

4140. You have said that there were two booths, do you mean buildings or booths?—Booths built up with wood.

4141. Did you take your uncle to poll?—No.

4142. Had you any thing to do with your uncle's vote?—No, I gave his wife 5*l.*

4143. Who is your uncle?—John Woodhouse.

4144. You took 5*l.*?—Yes, I gave it to his wife.

4145. What was that for?—I made her a present of it.

4146. Who gave you the money to make a present?—Mr. Sloman.

4147. What did Mr. Sloman say when he gave you that money to give to your uncle?—He asked if I thought he would vote for the party.

4148. Who?—My uncle. I told him yes, I was sure of that, because he had promised them from the first, and I went and gave his wife the 5*l.*

4149. What did Sloman do when he asked you that?—He gave me the money.

4150. What did he say when he gave you the money?—He said there were 5*l.*, I told him I would give it to his wife.

4151. Did he say what it was for?—No, he did not; but I knew what it was for.

4152. What did you know it was for?—Because he would vote for the Reds.

4153. Did you give that to your aunt?—I did.

4154. Was the conversation in which you said to Sloman you knew your uncle would vote for the party, at the same time that you received the 5*l.*?—He gave me the 5*l.* and I told him that I could assure him that he would vote for them.

4155. Did you say that to Sloman at the time when you received the 5*l.*?—He said, "Here are 5*l.* for you Mr. Gardner," and I took the 5*l.*, and I will state my recollection of it. I took the 5*l.* and went down and gave it to my aunt; my uncle was not at home. She asked what it was for; and I told her to ask no questions; she might have asked me once since, but I cannot say; I told her to ask no questions about it. My uncle never knew any thing of it; I did not let him know any thing of it.

4156. He knew nothing of it from you?—No.

4157. How did he vote?—He voted Red.

4158. Can you answer this question, was the conversation about your uncle's vote and your saying to Sloman that you knew he would vote for the party because he had promised it, at the time you received the note?—I received the five sovereigns.

4159. At the same time?—At the same time.

4160. You carried those five sovereigns to your aunt, and gave them to her, and said, ask no questions, and left them with her?—Yes, I did so.

4161. Your uncle afterwards voted Red?—I dare say he was up voting at the time that I brought the money down.

4162. Then

4162. Then he voted without knowing that any money was given for his vote?—Yes.

4163. Had any thing passed between you and your aunt previously?—No.

4164. What makes you think that your uncle was up voting at that time?—Because he was out, and when he came back again I asked if he had polled, and he said yes.

4165. Were you present when he had previously promised that party to vote?—No, I was not.

4166. How did you know that he had promised that party?—He told me that he had promised it; I knew that he had promised it.

4167. How do you know?—Being in different houses, I knew that he had promised it.

4168. Did you go with your brother about some twine?—I cannot recollect.

4169. To Mr. Preston?—No, I did not.

4170. You know nothing about the dispute between your brother and Mr. Preston?—Nothing at all.

4171. Has he any other brothers but yourself?—Yes, but they are very small.

4172. Have you ever been paid for your services?—Never received a farthing.

4173. Did you apply to any body to be paid?—No, I do not recollect applying to any body; I think once I applied, but got no answer, and so I did not go any more.

4174. To whom did you apply?—I went when they were paying the colour money for the county election.

4175. Whom did you see there?—Mr. Cory.

4176. He had nothing to do with your election?—Nothing at all, and so he told me.

4177. Did you ever apply to Sloman for payment?—Not for a farthing; I never got a halfpenny.

4178. You never asked for any?—No.

4179. How was it that you never asked Sloman for payment?—Because I was told by the party that I should have a place, and by that means I depended upon having this here place; and so I thought if I received the money, I could not go afterwards for a place.

4180. Who told you about this place?—Mr. Preston.

4181. Which Preston?—Mr. Isaac Preston.

4182. Where were you when he told you about this place?—In his house.

4183. When was it?—Before the election.

4184. How long?—I cannot say.

4185. How many days?—I cannot exactly say.

4186. Was it a year ago?—No, just when they were canvassing.

4187. In what part of his house?—In the passage.

4188. State how the conversation arose; how came you to be in the passage?—I went and asked him if he could get me a place; he told me, yes.

4189. What did you say to him upon that occasion?—I asked him if he could get me a place.

4190. Why should he get you a place?—Because I had known him a good while, and he told me I should have a place, but I never got it yet.

4191. State the conversation, if there was any?—He took down my name, and he told me that he could not give me a place till after the election; after the election, I applied to him for it, but he never made me any answer at all.

4192. Did you go to him after the election in company with any body?—No, I went by myself.

4193. How long after the election?—I cannot say how long; it might be a month, or longer.

4194. Where did you see him after the election?—I went to his counting-house.

4195. Who was there?—Mr. Edward Preston, the young gentleman that is up here, and the two clerks and Mr. Preston.

4196. Preston the father?—Yes.

4197. Did you speak to Mr. Preston then?—Yes.

4198. Preston the father?—Yes.

4199. Where was he sitting, in the counting-house?—In a large room where there is a large dining-table, or whatever you might call it; the son was in the other room.

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4200. Was the father in a room by himself?—Yes.

4201. Did you go into that room?—Yes.

4202. State what you said upon that occasion?—I got a letter written to go to Mr. Praed, and I received an answer back again.

4203. When?—After the election.

4204. Was that letter that you had got written to Mr. Praed written before the time when you called upon Mr. Preston in his counting-house?—Yes.

4205. Had it been sent before that time?—Sent before that time, and I got an answer down.

4206. Directed to yourself?—Yes.

4207. Where is it?—That is at Yarmouth.

4208. You are sure you have that letter?—Yes, to the best of my knowledge, it is at my house, or my father's house.

4209. When did you last see it?—I have not seen it since I suppose a month after I got it, but I dare say it is there now.

4210. After you received that letter, you went to Mr. Preston's?—Yes.

4211. State what passed when you saw Mr. Preston upon that occasion?—I showed him the letter, and he said, "Poh! poh! poh! I cannot do any more;" that is all he said to me; so I turned back again to my work, and went to work.

4212. Was that all that passed then?—I called him an old hog; he did not hear me though.

4213. You never got this money from Mr. Sloman since?—No, I have not got a farthing.

4214. After this refusal you did not apply for it?—No, I never went after it at all; then I gave it up, I thought it was high time then.

4215. Is that the only occasion upon which you have spoken to Mr. Preston upon the subject?—That was the last time.

4216. Have you spoken to him twice in all, or more?—A good many times.

4217. Can you state any one occasion upon which you have spoken to him after the first occasion, and before the time you have been speaking of, when you used that expression?—I spoke to him a good many times about it.

4218. Where?—Sometimes in the counting-house, generally in the counting-house.

4219. That is all you know about this matter?—That matter I never knew any thing more of.

4220. Did you ever see any body else about this place?—Yes, Mr. Costerton.

4221. Did you speak to him about it?—Yes.

4222. What did you say to him?—He signed his name to it.

4223. To what?—To the letter.

4224. To the letter you got written to London?—Yes.

4225. To whom was that sent?—To Mr. Praed.

4226. Did any other gentleman sign that letter?—Yes, Mr. John Danby Palmer.

4227. Who else?—Mr. Fyson.

4228. Who else?—I do not recollect any body else.

4229. Who took it to them for signature?—I myself.

4230. Who wrote it?—Mr. Glasspoole.

4231. Was it signed by any body else?—No, I do not recollect any body else.

4232. To whom was it addressed?—To Mr. Praed.

4233. What was the form, a letter or a petition?—A letter.

4234. Was your signature there?—My name was there.

4235. And those gentlemen also signed it?—Yes.

4236. And Glasspoole wrote it; what is Glasspoole?—He sells nuts and oranges.

4237. Where does he live?—On the church plain, in a row, I cannot exactly say the row, but that does not signify.

4238. Is it in Yarmouth?—Yes.

4239. You know it was addressed to Mr. Praed?—Yes.

4240. When those gentlemen had signed it, what did you do with it?—I put it into the post office.

4241. You yourself?—Yes.

4242. How was it directed?—I cannot say; I think it was directed Mr. William Winthrop Praed.

4243. Do you know that the letter that you put into the post-office was intended to go to Mr. Praed?—Yes.

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4244. Who sealed up that letter?—I cannot say.

4245. After it had been signed by those gentlemen, did it come into your own possession to make it up, or was it made up in your presence?—I think Mr. Costerton sealed it up, if I am not much mistaken.

4246. Which Costerton?—The water-bailiff.

4247. After it was sealed up, you are sure you received the letter?—Yes.

4248. And did you then post it?—Yes.

4249. Was this letter before or after the dispute with Mr. Lushington Preston?—I received the answer then, and carried it to him and showed it, and he said, "Poh, poh, poh! I cannot say any more."

4250. Then this application to Costerton and the other gentlemen must have been before?—Yes, that was when I was getting the letter to go away.

4251. And you say that nobody was present when this place was promised to you originally?—Not that I recollect.

4252. Are you sure of that?—Yes, my brother was present, if I am right; I cannot exactly say now.

4253. When was this?—Before the election.

4254. How long before?—The time they were canvassing.

4255. How long after the election was this that you called him "a hog"?—I cannot say.

4256. Was it a month ago or six months ago?—It was not six months, but it is more than a month; because I said I did not go to him after it for a month or six weeks.

4257. Was it before or after the two guineas were paid?—I cannot say; there is the direction on the letter when I received the letter.

4258. It was some time ago?— Yes, a good while since.

4259. You said that you were employed to collect voters the night before the election?—Yes, he told me I should have recompense for it.

4260. Was that the night before the election?—Yes.

4261. Before the first day of the election?—Yes, the night before the election.

4262. What do you mean by saying that you asked the freemen whether they had voted?—So that I could take them to the Buck.

4263. That was the night before the polling took place?—All the time I said I was engaged in it.

4264. Do you mean that you were employed to collect voters on the evening of the first day of polling?—The evening before the election took place.

4265. What did you mean by asking the voters the question whether they had voted; it could not have been that they had voted then?—The meaning of that was, that if they had not voted, to ask them if they would go along with me on the following day; that was the night before the election; all that I got then I took to the house.

4266. Did you see any of the money paid to those men?—I never saw a halfpenny paid.

4267. And you only knew that those men had received the money, from their telling you that they had received it as they came out of the room?—That is all.

4268. Were you out two days or one?—I began the night before the election.

4269. Was that the day of nomination?—I cannot say; I know that it was the night before the election.

4270. What did you do the next day?—I went after my business, looking after the men.

4271. Did you do any thing the next night?—I was out that night.

4272. Doing what?—Upon the same business.

4273. What business?—Looking out after men.

4274. Then the first time you were out what did you say to the people?—I asked them if they had voted.

4275. The first night?—No, not then.

4276. What did you say then?—I asked them if they would go along with me; they asked me where; I said, would they have any thing to drink.

4277. Where did you take them to?—To the Buck.

4278. You do not know the name of any one single individual among them?—No.

4279. How long have you lived in Yarmouth?—I was never out of Yarmouth but once or twice; I had lived in London six months before.

4280. And all the rest of your life you have lived at Yarmouth?—Yes.

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4281. And yet you were sent to bring in voters, and brought in 20 different persons, and do not know the name of any one of them?—No, I did not know the names; I stated at Yarmouth that I did not know them.

4282. You say that you saw one man go up and vote, and that was the only man you saw vote?—Yes.

4283. You do not know his name?—No.

4284. You do not know at what hour he polled?—I cannot exactly say.

4285. You had never seen him in Yarmouth before?—Never, that I know of.

4286. Nor since?—Never, that I know of.

4287. So that whether he is a freeman or a 10*l.* householder, you know nothing about it?—I suppose that he was a freeman.

4288. You may suppose that all the rest were freemen, but you know nothing of it?—No.

4289. The only thing you know is, that certain men represented themselves to be freemen or voters, and whether they were freemen or voters you do not know?—No.

4290. You brought them to this Buck, and there was present Mr. Sloman, the schoolmaster?—Yes.

4291. Was Mr. Costerton there?—Not that I know.

4292. Had you discharged your office when you presented them to Mr. Sloman?—Yes.

4293. Did you go about the streets?—Yes, and in houses too.

4294. Did you go up to any men with a red cockade, and ask them to go with you?—Yes; I asked them if they had voted.

4295. Did you go to nobody but what had cockades?—No.

4296. And yet you went to some who were not voters?—Yes, there were many that were not voters that had red cockades on; I had one myself, and I was not a voter.

4297. Were you present at any conversation that passed with Mr. Sloman and any of these men?—No.

4298. You never heard him say, "You are not a voter, and go away?"—No.

4299. How do you know that those persons who told you they had got money, were those you took in the first instance?—There might be three came out afterwards when I was standing in the room, and I asked them if they were satisfied, and they said "perfectly so."

4300. You are sure that they were the same men you took?—Yes.

4301. You say that you brought about 20 men into the Buck; how many did you speak to who were not freemen?—I cannot say.

4302. Did you speak to 50?—I cannot say.

4303. Did you speak to 100?—I cannot say; that is immaterial for me to say.

4304. Did you speak to 100?—It is no good for me to tell a falsehood.

4305. Did you speak to one?—Yes; I cannot say exactly the number.

4306. Did you speak to a good many?—A goodish many.

4307. Were you sober all the while?—Yes; I do not think that I was the worse for liquor then.

4308. Had you been drinking?—A glass of grog.

4309. One glass?—I cannot say how many glasses.

4310. When you went into the house to look for voters, did you take any thing?—A glass of grog and some porter.

4311. In each house?—No.

4312. In several?—A goodish many.

4313. And several times at different houses when you went in?—Yes, I took a little something to drink.

4314. This man whom you saw vote, he told you he was satisfied, did he?—Yes.

4315. What did he say to you before?—He asked if I knew where he could get any money; I told him to come along with me; I could take him to a place where the gentleman was; that was all I said.

4316. Had you any conversation with any of them about what they were going to get?—No.

4317. Did you ask them what they wanted?—Yes.

4318. What did they say?—There was one man said he wanted two guineas.

4319. Did you take him up to the Buck?—Yes.

4320. Did you see him afterwards?—Not to my recollection.

4321. Was

4321. Was that the first or second night of the election that the man said he wanted two guineas?—I cannot say.

4322. Was he the only man who told you what he wanted?—I cannot exactly say.

4323. You do not recollect any body else; did any man ask you for a guinea?—No.

4324. Did any man say that he wanted three guineas?—No.

4325. Did any man say that he wanted four guineas?—No.

4326. Did any man say that he wanted five guineas?—I do not recollect.

4327. You recollect one man saying that he wanted two guineas?—That was all.

4328. You do not recollect whether it was the day before the polling, the first day of the poll or the second day of the poll?—I cannot exactly say.

4329. Were you and Mr. Sloman well acquainted before this?—No; I met him on the quay.

4330. What did you say to him?—I said, "How do you do?" and he said, "How do you do, Mr. Gardner?"

4331. What followed next?—We went into the Buck, as I have stated; he asked me if I knew any freemen, and I told him that I did not know any; but that I could go out and find some.

4332. Since that time have you and Mr. Sloman had any talk about it?—No.

4333. You never thought it worth your while to jog his memory about being fairly recompensed?—No, I thought about having that place, and I thought that I could not get the place.

4334. When you called Mr. Preston "an old hog," you might get money of Mr. Sloman?—It was no good going then.

4335. Did you call Mr. Sloman "a hog," or abuse him?—No.

4336. You said there were only two booths; were there any divisions in those booths?—Yes

4337. How many voting places were there in each booth?—I cannot say.

4338. What sort of place were you to have?—In the preventive service.

4339. Did he say any thing about the police?—No, they told me I was not tall enough for it, but I asked.

4340. When you gave the 5*l.* to your aunt, did she know what it meant?—No, she did not.

4341. Does your uncle know?—I suppose he knows of it now; I was ordered up, so that I cannot say.

4342. What sort of a looking man is Mr. Sloman?—A dark man.

4343. Is he a tall or short man?—The height of me.

4344. Is your uncle an old freeman?—Yes.

4345. Has he voted pretty often?—Yes, he is 60 years old.

4346. Do you know whether your uncle got any voting-money at the election before this last?—I do not believe he got a farthing.

4347. Do you know whether any body got voting-money at the election before this last?—Yes.

4348. Do you know whether the Blues expected to have it?—They said they were going to have two guineas; it was mere talk.

4349. Was that talked among the Reds?—It was talked of on both sides.

4350. Was there any complaint that the Blues did not give enough drink?—I never heard.

4351. Or among the Reds?—I never heard.

4352. You wore a cockade?—Yes.

4353. Did all the colourmen wear a cockade?—I dare say they did; I had one on.

4354. Did the chairmen wear the cockades?—I dare say they did.

4355. Do you know how many chairmen or colourmen there were?—I do not know.

4356. Was every freeman entitled to have a deputy as chairman?—I do not know.

4357. Were you paid as a colourman?—Yes.

4358. Were you employed as boatman to carry the boat?—No.

4359. Whose deputy were you as colourman; were you any body's substitute?—No, they did not want any substitute for that.

4360. Who hired you?—Mr. Green put me down as colourman.

4361. Who paid you?—I cannot exactly say who paid me, I went into the room and got my money in a bustle.

 4362. In

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4362. In what room?—At Mr. Green's.

4363. When?—I cannot say the day.

4364. About what month?—I cannot say what month; I know the time of day I got it.

4365. What time?—One or two o'clock.

4366. Was it shortly after the election?—I cannot say that.

4367. None of those men whom you took told you what they had got?—One said he had got 4*l.* and another said he had got 5*l.*

4368. Did you see the money?—No.

4369. Did any of them show it you in their hands?—No.

Mrs. *Mary Woodhouse*, called in; and Examined.

Mrs. *M. Woodhouse.*

4370. IS that young man that has gone out a nephew of yours?—Yes.

4371. Did you bring him up?—Yes, I did.

4372. Do you know any thing about any money that was given to you by him?—Yes.

4373. State what you know?———

The Chairman stated to the Witness that she was not bound to answer any question that would criminate herself.

4374. State what you know?—That morning that my nephew brought the 5*l.* to me I was alone in my house all alone, and he gave me the 5*l.*, and I said to him, "Thomas, where did you get this?" and he said to me "Aunt, ask me no questions, I shall not tell you;" he shut the door and went away; to the best of my knowledge I never saw him near till after the election was over.

4375. What did you do with the 5*l.*?—I paid my rent with some of it; I was in very great distress just at the time, and I paid my rent with some of it and with some of it I redeemed my things out of pawn.

4376. Who was the pawnbroker where you redeemed your things?—I think this ring was at Mr. Playford's; I had pledged that long before, and I got that out from Mr. Playford's.

4377–8. Any other article?—The gown that I have now on and several more articles with it I redeemed from Mr. Lone.

4379. Any other articles did you redeem?—I cannot recollect.

4380. To whom did you pay the rent?—I paid it to Mr. John Breeze; he is deputy landlord of the factory yard.

4381. How much rent did you pay him?—I think I paid him for half a year; I live in a chamber; 10½*d.* a week I pay; and I think I paid him 1*l.* 2*s.* 6*d.*

4382. Did you say any thing to your husband about this?—No.

4383. He knew nothing about it?—No.

4384. When had he voted; did he vote before you received the sovereigns, or after?—O yes, before I received it; the very first morning as soon as the poll was opened he polled.

4385. How did he vote, Red or Blue?—Red.

4386. Had he voted Red before?—Yes, once before he was a Blue; all the rest of the times he was Red.

4387. Had he been canvassed before, to your knowledge, by the Reds?—Yes; I heard him when he came home say, that he had promised the Reds, on the first canvass, and that he would certainly be a Red.

4388. Did you tell your husband that you paid your rent?—No, I did not.

4389. Did you tell your husband that you had taken the things out of pawn?—No.

4390. Does he think they are still in pawn?—He is a man that never takes any notice of nothing.

4391. Is he working at the twine-walk?—He never has any work scarce to do, he is a poor man.

4392. What is he by trade?—He is a twine spinner, but he is old; he is older than me a good deal.

4393. What age is he?—He is between 60 and 70; I am 50 coming next birth-day.

4394. Did he get his vote-money when he voted for the Blues the last time?—No.

4395. Did he on the former occasions when voting for the Red?—I am afraid to say, I think once.

4396. How

Mrs. M. Woodhouse. 1 August 1835.

4396. How often do you generally pay your rent?—As I can; if I can pay quarterly that is easy, if I can make up 11*s.* 3*d.*, but sometimes I cannot.

4397. Have you paid any rent since that?—Not a halfpenny; I cannot.

4398. Are you at all in the habit of receiving money in any way; do you do any thing yourself towards your maintenance in the way of business; can you earn any thing?—I braid and make nets for the fishing.

4399. When you receive payment for your work so done, do you never tell your husband what you receive?—No, very seldom; he is a man that I can do what I like with; he is a man not quite himself, and that the people of Yarmouth know John Woodhouse is not.

4400. Is he better and worse at times?—Almost always; what you call a little silly.

4401. Did you tell him that you received this money?—No.

4402. And he does not know it to this day?—No, I never did tell him.

4403. There is no use in telling him that?—No, he is such a very poor inoffensive man that he does nothing.

4404. Who generally pays your rent?—Myself, I lay it by and gather it up myself; my husband has nothing more to do with it than other people.

4405. One of your sons lives with you?—He does not lodge with us; he is not my son; I have no children; I never had.

4406. Are you able to earn as much upon your work as keeps you and your husband?—No; if I earn two shillings a week I think I do wonderful.

4407. Is that sufficient to maintain you?—No; he picks up a little now and then in doing jobs from people going on the quay.

4408. Do your sons, or your nephews, do any thing?—No; this poor boy can do nothing for me, he wants something to help him.

4409. There was a great deal of drink given on the occasion?—I wish there was none.

4410. Did he ever come home tipsy at the election?—I cannot say; I do not wish to say, for he is such a kind of man that I do not know any thing about him; every body in Yarmouth knows that he is that kind of man.

[*The Witness withdrew.*]

Mr. Sherwood stated, that he did not intend to call witnesses to discredit the evidence which appeared upon the three first days of the Committee's meeting, Friday, Tuesday, or Wednesday.

Robert Christmas Springall, called in; and Examined.

R. C Springall.

4411. WHAT are you?—A tobacconist.

4412. Living at Yarmouth?—Yes.

4413. Are you a voter for Yarmouth?—I am.

4414. Did you vote at the last election?—I did.

4415. How did you vote?—Blue.

4416. Were you canvassed by any person about a month before the election?—I was.

4417. Will you state who canvassed you, and for whom?—I was first canvassed by the Blues.

4418. Did the Blues promise you any thing, or offer you any thing, to vote for them?—No.

4419. Were you canvassed by the Reds?—I was.

4420. Who canvassed you first for the Reds?—Mr. Baring and Mr. Praed.

4421. State who were in their company?—Mr. Richard Ferrier and Mr. Aldred.

4422. Are there more Mr. Aldreds than one in Yarmouth?—Yes.

4423. Which was it?—Mr. Aldred, sen.

4424. Who is he?—A silversmith.

4425. Any others?—There were others, but I cannot recollect.

4426. What passed then?—They asked me——

4427. Who spoke?—Mr. Praed spoke first.

4428. What said he?—He asked me if I would vote for them. I said I had promised the Blues, and my principles were in opposition to theirs, and as such I could not vote.

The Chairman informed the Witness that he was not bound to answer any question which might criminate himself.

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4429. Go on with the conversation, that your principles were opposed to them, you said?—Just so. Mr. Baring said that he would buy some tea of me, provided I voted for them, and I said I could not. Mr. Praed said if I would puff them up he would puff me out; meaning that he would take cigars, provided I voted for them.

4430. What do understand by that?—I understood that he would take cigars, provided that I voted for him; that he would puff out my cigars.

4431. Was he in your shop?—Yes.

4432. Go on with the conversation?—I said that I could not promise to vote for them as I had promised the Blues; and they said that they hoped that I should not disappoint them, as their party had hitherto supported me. That is all that took place then.

4433. Did any other person call upon you at any other time?—Yes.

4434. About the election?—Yes, Mr. Mortlock Lacon, sen., and his three sons.

4435. State what passed upon that occasion when Mr. Mortlock Lacon and his three sons called upon you?—They urged me very much to vote for them at the election. I told them that I had promised the Blues, and that I could not vote for them. They still kept urging me, and hoped that I should not disappoint them, and left the shop.

4436. Did they call again?—Several times; scarcely a day occurred but what they called, and bought cigars.

4437. Who?—Mr. Lacon and his three sons.

4438. Together did they call on subsequent occasions?—Sometimes.

4439. On any occasion was there any conversation in which the word "patronage" occurred?—Yes.

4440. Will you state, upon those occasions who were present, and what passed?—Mr. Stirling Lacon and Mr. Mortlock Lacon, jun. came and stated, that if I voted for their party they would patronize me in the cigar trade.

4441. Was that all that then passed?—I said that I was much obliged to them, but I could not promise.

4442. Did that end that interview?—Yes.

4443. Was there any occasion on which a Mr. Hanchard called with them?—Yes.

4444. Will you state what passed then, and who was with Mr. Hanchard?—Mr. Hanchard called on the second day of the election.

4445. Who was with him?—Mr. Stirling Lacon and Mr. Mortlock Lacon, jun.

4446. Will you state, as nearly as you can, what then passed?—Mr. Hanchard called to speak to me in the passage, between the keeping room and the shop, privately.

4447. You say he called for that purpose; let the Committee know how he called for that purpose?—He said, "Springall, oh, I have a word with you, privately;" I said "Yes, sir;" he called me in, and asked me whether his party could assist me, as he had no doubt it would be very much to my disadvantage, if I voted for his party.

4448. What party was Hanchard's, then?—Red, Tory; he said, do you think 15*l.* would be of any service to you, if you vote for us.

4449. Go on with the conversation?—I said that I would let him know in half an hour; he said that he would manage it with cigars, if I voted for him, meaning, that if he took a box of cigars, value 10*s.*, he would give me 15*l.* for it; I understood that he would give me 15*l.* for the box of cigars.

4450. By which you would gain 15*l.*—Yes; he then left the shop with the Messrs. Lacon.

4451. Did he call again, or did they call again?—They called in half an hour.

4452. Will you state what passed then?—I told him that I should vote decidedly against that party.

4453. Who called in half an hour?—Mr. Hanchard and Mr. Stirling Lacon; Mr. Stirling Lacon then said, let me advise you, if you are determined to vote against us, to stand neuter.

4454. Go on with the whole of that conversation?—I said that I could not, possibly, as I had made up my mind to vote for Anson and Rumbold; and he said that it was his committee's intention to mark all those that voted against them, and to withdraw all favours that they had hitherto shown.

4455. Was there any thing more?—Mr. Lacon, senior, came in afterwards, and said, your shop is very convenient for our house, and that he had hitherto supported

ported me, and if I voted against him, it would be the worse for me, and he would withdraw all his friends; I then went up with Mr. Page, who was in the shop, and heard all this, and voted Blue.

4456. Do you mean that he heard what was last mentioned?—He heard the whole of what Mr. Hanchard said.

4457. Did he not speak to you privately?—Yes; but the door is not very far from the shop, so that it is very easily heard.

4458. Has there any thing else occurred since?—I have not seen any of them since.

4459. Have any of them dealt with you since?—Not one.

4460. Did they owe you any thing at that time?—Yes.

4461. Have they paid that?—They sent in the morning, after the election, and they asked me what they owed me, and I told them, and I have not seen one since.

4462. Since that you have been prosecuted by the Excise, have you not?—I have.

4463. Will you state what the circumstances were?—On the morning of the 26th of March, a woman of the name of Devereaux entered my shop, and asked me whether I would give her my opinion as to whether three packages of tobacco, which she brought in, were good, as she intended sending part of it to her son, in London, if it was worth sending.

4464. Whilst that woman was there, and before she had left the shop, did the exciseman come in?—He came in while the woman was in the shop.

4465. Relate the whole circumstances?—Before I could pass my opinion about the tobacco, or before I even touched the tobacco, the Exciseman came in, and said, you have got some smuggled tobacco here, and apparently to me, he addressed the woman, as she had it in her possession on my counter. The woman said that it was not smuggled. He directly seized it, and said that it was in foreign packages, and that he should report it. I knowing the situation of the woman, said that it was mine, not with any intention to have bought it, as there was no price asked for it; neither did she bring it in with the intention of selling it. I merely said that, in order to help the woman out of a mess; I did not do it with any intention of defrauding the revenue. The woman then left the shop, and I admitted to the exciseman that the woman had brought it in for me to look at.

4466. Had the exciseman seized it then?—He had; he said he should report it to the Commissioners of Excise, as it was found on my premises; he weighed it, and it weighed two pounds eight ounces. On the 18th of June I received the summons for a fine of 100*l.*

4467. Before whom were you summoned?—Before Mr. Isaac Preston; I think it was Isaac, and Mr. George Bateman.

4468. Are they magistrates of that town?—They are.

4469. And of the Red party?—Yes.

4470. Were you examined?—I was, and the woman swore that she did not bring the tobacco into the shop.

4471. Have you memorialized the Treasury since upon this case?—I have.

4472. When?—It was a week after.

4473. Have you had any answer?—Yes.

4474. What is the purport of that answer?—That they did not see any sufficient grounds to interfere with the decision of the magistrates.

4475. The woman swore that she did not take it into your shop?—Yes.

4476. Did you know the woman?—I knew her as a customer; she was a tea customer.

4477. A customer to buy or to sell?—To buy.

4478. Had she ever sold you any tobacco before?—No, she never offered any. I afterwards ascertained that she was greatly concerned in smuggling.

4479. You do not connect your trial with your vote at the election?—I cannot say.

4480. Have you paid the fine?—I have.

4481. One hundred pounds?—No, the magistrates mitigated down to 25*l.*

4482. Were there any costs?—I have not received any.

4483. Did you sign the petition from Yarmouth?—I did.

4484. You had nothing to pay but 25*l.*?—No, I left that with Mrs. Springall, to pay it while I came here.

4485. You had not paid it before you came away?—No.

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4486. What was the amount of the bill that was paid to you the day after the election, by Messrs. Lacon; you say that they closed their account?—It was not much; I cannot say exactly; it was between 1*s.* 9*d.* and 2*s.*

4487. For what length of time was this account running?—They generally got half a crown, sometimes 3*s.* worth of cigars, and then paid it off; and this had been standing two months.

4488. What had been their annual expenditure at your shop?—Sometimes they brought friends in, who took four or five dozen cigars at one time.

4489. What was the amount of your usual annual account against them?—I cannot say.

4490. Do they generally pay in ready money?—Generally.

4491. Do they spend 2*l.* a year in your shop?—More than that.

4492. Five?—I should think it was; I cannot say exactly, but I could ascertain that from the books.

4493. Do you suppose it was about 5*l.*?—Yes.

4494. How much do you think that they spent during the time of the canvass?—I should think 8*l.* or 9*l.*

4495. The Lacons?—No, I should think four or five.

4495.* Did they buy more than three or four cigars at a time?—Yes, sometimes two or three dozen.

4496. Did they light them in the shop?—Yes, sometimes.

4497. Does Mr. Lacon, sen. smoke?—No, he takes snuff.

4498. How long have they been customers of your's?—Off and on, for a year and a half.

4499. How much did Mr. Lacon, sen. buy at your house?—About an ounce a week, which is 9*d.*

4500. Did the Lacons spend 4*l.* or 5*l.* in cigars with you?—Yes.

4501. Was that more or less than they were in the habit of buying?—More.

4502. How much more?—I should say 2*l.* more than their general expenditure.

4503. Two pounds more than their average expenditure?—Yes.

4504. Do you not find that many persons lay out more money during the election in cigars, do not the sales increase at that time?—Not very much.

4505. You do not think with all the increase of drinking that there is more smoking?—Yes, in the tobacco way; but the cigar trade is so differently situated.

4506. Do not you suppose that the customers increase their dealings during that time?—In the tobacco way.

4507. And in the cigars?—Yes, the Blues did in cigars.

4508. Do you think that this woman laid a trap for you with the excise officer?—I cannot say.

4509. Have you any reason to suspect it?—I have, certainly.

4510. What is the ground of your supposing it?—Because the exciseman is in the habit of surveying me once a fortnight, and he came three days after he had surveyed me.

4511. What was the amount of the penalty proceeded for against you?—One hundred pounds.

4512. And it was mitigated to 25*l.*?—Yes.

4513. You knew that it was 100*l.* penalty to have run tobacco in your possession?—Yes, I did.

4514. Was this woman a large customer of yours?—No, very small.

4515. And yet you took upon yourself to say that the tobacco was yours in order to screen the woman?—I did.

4516. Is she a poor woman?—She is a very poor woman.

4517. Not likely to pay the penalty after it had been inflicted on you?—No, not 5*s.*

4518. Have you ever been accused before of smuggling tobacco?—No, never; my stock is always right.

4519. Could the magistrates have mitigated the penalty any lower?—They said they could not mitigate it lower than one-fourth.

4520. Then they did all that they could?—It appeared as though they did not, because I had an attorney, Mr. Worship, pleading for me, as they brought a charge against me for concealing the tobacco. Mr. Worship stated, that he could not see that it was concealing the tobacco, as it was on the open counter in the middle of the

the day. The magistrates said that it was concealing it, as the exciseman swore that I had put the tobacco behind the basket when he came in, which I did not do; the woman had it in her possession on the counter.

4521. What basket was that?—The basket she brought it in.

4522. Did she leave the basket as well as the tobacco?—No.

4523. Had she a cloth over it?—No.

4524. Was it in paper or in canvas?—In paper.

4525. You say that you knew this woman, and had had small transactions with her, were those buying of her or selling to her?—Selling to her; I never bought any thing of her in my life.

4526. Was it not rather extraordinary that she should offer you some tobacco for sale?—I cannot say, as I had not time to reflect upon it.

4527. Have you had tobacco offered to you?—Yes, I have, but I have refused it.

4528. Do not sailors come in and offer tobacco or cigars?—There have been instances of that kind.

4529. Is it not common in seaport towns that tobacconists have had offers made them of that kind?—I cannot say.

4530. You consider this an extraordinary circumstance any body calling in and offering to sell tobacco?—I thought it very extraordinary.

4531. You were taken before two Red magistrates at Yarmouth; were they the gentlemen that usually transact the justice business there?—I believe they were.

4532. There was nothing extraordinary in that?—I thought Mr. Preston appeared as though he would not see, as Mr. Worship had stated that he could not see that it was concealing tobacco.

4533. Is there any body belonging to the Blue party who is a magistrate?—Not one; yes, Mr. Barth is a magistrate, but he did not sit.

4534. Was the mayor one of the magistrates?—Yes, he was one.

4535. Which of those was the mayor?—Mr. Preston.

4536. Was it not his duty to be present?—I cannot tell that.

4537. Was it not at the ordinary court?—I do not understand any thing about their transactions.

4538. Where was the conviction?—At the town hall.

4539. Does the mayor usually sit there to take such cases?—I cannot tell.

4540. Is it your belief that you were taken before those two gentlemen because they were magistrates in the Red interest?—I cannot say.

4541. You cannot state your belief upon the subject?—I really have no opinion upon it.

4542. Then why did you throw out the insinuation that you were taken before two Red magistrates, implying that you were taken before them in the character of Red magistrates?—Because the exciseman came in immediately after the woman.

4543. You mean to assert your belief, that you were taken before those two gentlemen, because they were Red magistrates?—I cannot say.

4544. Do you mean to assert your belief that those two magistrates, being gentlemen espousing the Red interest, did therefore unjustly decide upon your case?—It appeared so to me.

4545. Yet, notwithstanding that you have memorialized the Treasury, and the Treasury upon the Report of the Commissioners of the Excise, and considering your statement, have nevertheless found, according to your own statement, no particular reasons for mitigating the penalties?—Upon inquiry, they could see no sufficient ground to interfere with the decision of the magistrates.

4546. They having put it at the lowest that they could put it?—Yes.

4547. Have you many customers among the Blues?—I have some.

4548. Your custom from them was considerably increased during the canvass, was it not?—No, I cannot say that it was.

4549. In the tobacco line it was?—Yes.

4550. There was a good deal of smoking and of purchasing cigars going on?—Yes.

4551. Had you any customers among the Blues, who increased his purchases a good deal?—In consequence of the election they smoked more cigars.

4552. There were a good many more cigars smoked at that time than usually?—Yes.

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4553. Did many gentlemen of the Blue party come to your shop at that time?—Not more than usual.

4554. But they consumed more cigars?—They did.

4555. Do you know any gentleman in particular who took more than usual?—I really cannot recollect; yes, I can recollect one individual.

4556. Who was that?—I almost forget his name.

4557. What trade or profession is he?—His name is Beauclerk.

4558. Was he one of the canvassers?—No, he was not.

4559. Were you canvassed on more than one occasion by the Blue party?—Only once by the Blues.

4560. Did they call again to see if you had been true to them?—I think they called twice.

4561. Did it appear to you that the exciseman knew this woman?—Oh! yes; I am positive that he knew her, as he had told me that he did.

4562. How soon after the woman entered the shop, did the exciseman come in?—I should think in a minute and a half.

4563. Had the tobacco been opened?—It had not.

4564. What kind of tobacco was it?—I cannot tell as it was not opened.

4565. You never opened it?—I did not.

4566. Did the exciseman and the woman talk together, did they appear as if they knew one another?—I did not see them.

4567. You heard from the exciseman that he knew the woman?—Previous to the affair.

4568. Is this same exciseman upon your round, is he the man that comes every fortnight to see that your stock is correct?—Yes, but he has since left the town.

4569. Did the same exciseman ever in discharge of his duty, visit your shop to take your stock after that event?—Yes.

4570. Had you any conversation with him about the woman then?—No.

4571. What was his name?—Alison.

4572. When did he leave the town?—I think it was about a week previous to the summons.

4573. You say that you have reason to believe that this woman is largely concerned in smuggling?—I have heard that she has been.

4574. Had you heard that at the time she called upon you?—No.

4575. Mr. Beauclerk had made a purchase of you of cigars, do you know how much he bought of you?—He generally bought four or five cigars at a time, but at the election time he took sometimes a dozen, and sometimes a dozen and a half.

4576. Did any other gentleman of the Blue party take that sort of quantity at that time?—Yes, there were others, but I cannot recollect who.

4577. There were others who did take a good many cigars at the time?—Not much more than they did at another time.

4578. When did you first mention about this other 15*l.*?—I think it was two or three days after.

4579. After the election?—Yes.

4580. To whom?—I cannot say to whom.

4581. To your wife?—I told her of it certainly.

4582. You mentioned it to other people besides your wife?—Yes, I mentioned it to certain customers in the shop who I cannot recollect.

4583. Two or three days after the election?—Yes.

4584. About voting and about Mr. Praed and Mr. Baring being there?—No, I do not recollect that I told that.

4585. Then it might, for any thing you know, be all over Yarmouth in the course of a week after the election?—I do not think that.

4586. It might be, you have not scrupled to mention it to any body?—It might have been.

4587. When you mentioned it to any one, did you ask them not to tell it again?—No.

4588. You mentioned it generally?—Not generally, to one or two individuals that were my best customers.

4589. Do you deal in any thing else besides tobacco and cigars?—In tea.

4590. Did you mention this circumstance of the exciseman's visit, and the seizure of the tobacco immediately after it had occurred, after this prosecution was instituted,

instituted, did you tell any body that the exciseman had been in your shop and seized some tobacco?—I did.

4591. To some customers?—To several persons.

4592. Did it then appear to you that this prosecution was brought against you to punish you for the vote you gave?—It appeared to me that it was.

4593. After all that has passed, does it still so appear to you?—It does on the grounds that I have stated.

4594. Did you state that belief at the time to any body, or near the time?—No, I did not, it was stated to me.

4595. By whom?—I cannot say.

4596. Did you ever say that it was to pay you off?—I have mentioned what took place with Mr. Lacon.

4597. Did you not say with reference to this transaction with the excise officer that you considered they paid you off for voting?—I thought so.

4598. Can you give the name of any person to whom you mentioned about the 15*l.* having been given by Mr. Hanchard to your wife?—Yes, I mentioned it to Mr. Page who was in the shop and heard it as well as myself.

4599. Any body else?—I cannot recollect.

4600. Did you state to your attorney that you believed that the prosecution was issued against you vindictively?—I told him that I thought it had occurred in that way.

4601. Did he take any exception to the magistrates who presided?—No, I did not hear him.

4602. He did not say that it was not a fair tribunal, or any thing of that sort?—No; he said that he could not see that it was concealing tobacco, as it was on the open counter in the middle of the day.

4603. Who said that?—Mr. Worship, the attorney.

4604. Did he argue your case before the magistrates?—He did.

4605. Did he say that in open court?—Yes, he did.

4606. Is Mr. Hanchard an active member of Mr. Praed's committee?—Yes.

4607. And well known to be so?—Yes.

4608. You said that two of the Mr. Lacons were with him at the time when he made the offer of 15*l.*?—Yes.

4609. You say, that the very day after the election, Mr. Lacon came in, and said he would deal no more with you, and paid off his account?—He asked what he owed, but did not take any thing with him that night, and I have not once seen him since.

4610. Has not his account been paid?—It has; he paid it on that day.

4611. And he had before said that he would not deal with you again if you would not vote with his party?—He said, that it was his committee's intention to mark those that voted against them, and to withdraw all favours.

4612–13. Then you mean to represent that Messrs. Lacon, knowing that these 15*l.* had been offered to you by an active member of Mr. Praed's committee, and having threatened to withdraw their custom from you prior, did, on the very day after the election, and long before the time that the petition against their return would have been presented, pay off the only account which you had against them; is that so?—Yes.

4614. Do you know whether any petition could be presented against members for bribery?—Certainly I do.

4615. Do you know whether the House of Commons allows it to be done at any time, whether they restrict the time in which a petition can be so presented, whether it confines the party petitioning to a certain time?—I have heard that such was the case.

4616. What time do they allow?—I have not heard that.

4617. Supposing that no such petition had taken place in the period before, that no steps had been taken in it till this moment, do you suppose that a petition affecting the seats of the members could be presented and received by the House?—I believe that such is the case.

4618. And the same as regards all matters of bribery?—Just so.

4619. You consider yourself to have been hardly dealt with about the tobacco?—Yes.

4620. Do you impute that to the magistrates, or to the persons that made the charge against you?—I impute it to the magistrates and the parties likewise.

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4621. Who has dealt hardly with you; has it been the magistrates, or the persons who made the charge?—I think both.

4622. Do you think the woman was set on by anybody?—I suspect it.

4623. But you have no ground for it?—No.

4624. Is the woman married or single?—Married.

4625. Is her husband a voter?—He is.

4626. Which side did he vote?—He voted on the Red side.

4627. Had you ever done her any wrong in any way; has she taken goods from you, and been much in your debt?—She had been in my debt, and I had a great deal of trouble to get the money.

4628. You were obliged to take harsh measures with her?—No, I did not.

4629. No process of any kind?—No.

4630. Did your attorney say that he supposed it was a case got up against you?—He said, that he thought it a planned scheme.

4631. Did he say by whom planned?—No.

4632. What did the attorney say of your acknowledging the tobacco to be your own?—He said, that I had done wrong by so doing, but still he said I had done it through compassion to the woman, which was the case.

4633. When was the exciseman appointed?—I do not know that.

4634. Has he been a long time an exciseman?—I do not know.

4635. You say that the conviction was on the 18th of June?—On the 18th.

4636. And the exciseman was removed from the town before that time?—On the 18th of June the summons was served; I appeared on the 29th.

4637. The exciseman was removed on the 13th of June?—I think it was as near as I can remember.

4638. Where has he been removed?—Saxmundham.

4639. Has he been promoted?—I cannot tell.

4640. Is Mr. Worship a Blue?—Yes, he is.

4641. Did the exciseman take any part in the election?—I cannot tell that.

4642. He never told you which side he was?—No.

4643. Do you know whether he could vote or not?—I do not.

4644. Have you ever presented a memorial to the Board of Excise asking for a remission of the sentence?—I have.

4644*. Did you get any friends to sign it?—I got Mr. Worship to sign it.

4645. Did you get any body else to sign it?—Yes.

4646. Many people?—No.

4647. You got a statement from Mr. Worship to transmit to the Board of Excise in London?—Yes.

4648. Was it in Yarmouth or in London?—It was sent to London.

4649. Who presented the memorial to the Treasury?—I cannot tell that.

4650. Whom did you employ to present it?—I wrote to the Commissioners of Excise, Treasury Chambers.

4651. Have you not presented any memorial separately to the Treasury?—Mr. Worship first drew up the petition, to which I received the answer remarking, that they could not see any sufficient grounds; and after receiving that answer I sent up another, asking them if they would give me longer time to pay it in.

4652. Through whom did you send up that second memorial?—I did not send it up by anybody.

4653. Did you send any other memorial to town than that memorial to which you received an answer, signed by Mr. Baring?—I did not.

4654. Was your second communication to the same persons that you had made the first to?—Yes.

4655. Who presented it to the Treasury?—I cannot say.

4656. Did you send it by post?—Yes.

4657. Did you send that memorial to Mr. Barth?—I wrote a letter to Mr. Barth, begging that he would intercede for me.

4658. What answer did you get?—Not any thing further than what I have stated.

4659. *To Mr. Barth.*]—Did you receive a memorial from this witness?—I did, and I gave it to Colonel Anson to be forwarded to the Treasury.

4660. You did not make any communication in respect of it to the witness?—I had nothing to state; I did not think it necessary to state the receipt of it.

4661. *To Mr. Springall.*]—Is this a large shop?—No, a small shop.

4662. Where

R. C. Springall.

1 August 1835.

4662. Where was the place where the offer was made?—Between the keeping-room and the shop.

4663. Was the door shut?—About half shut and half open.

4664. It was not shut?—No.

4665. Were the two Mr. Lacons' in the shop?—They were.

4666. Where was the person that you say heard the conversation?—He was standing at the counter next the door.

4667. Was he nearer the little place where the conversation took place than the Messrs. Lacon, or further from it?—Much nearer.

4668. How much nearer?—I should say three yards.

4669. That would be as far as from the end of the table to yourself?—Yes, I should think about that distance.

4670. He was about that distance nearer to you than they were?—Yes.

4671. Could they have heard it?—I do not think they could, because this Mr. Page was leaning over the counter towards the door.

4672. As if he were listening?—I do not know what he was doing; he was leaning over the counter.

4673. Were the Messrs. Lacon in the shop at the time?—Yes.

4674. Who is Mr. Page?—A customer.

4675. Is he any relation of yours?—No.

4676. Is he a voter?—Yes, he has not voted yet, he is now a voter.

4677. He went up to poll with you on that occasion when you voted Blue?—He did; after the shop was empty he said, "Now is the opportunity, if you will go up with me, we will vote."

4678. He is a strong friend of the Blues then?—He is.

4679. *To Mr. Barth.*]—Have you any communication to make to the Committee respecting the usual mode in which the magistrates hear complaints of this nature?—It is usual for the mayor to attend, if in town, as one of the magistrates, and any other magistrate who may be most conveniently applied to at the time sits as the other magistrate.

4680. Have you any knowledge of the woman that has been referred to?—No, I know nothing of the case.

Martis, 4° die Augusti, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON,
IN THE CHAIR.

Mr. *Pritt* stated that he did not intend to impeach the credibility of the witnesses who were examined on Thursday.

Thomas Gardner, called in; and further Examined.

Thomas Gardner.

4 August 1835.

4681. IS that the letter which you spoke of as having been received from Mr. Praed?—[*A letter being shown to the Witness.*]—Yes.

4682. Are you sure of it?—I am.

4683. Did you receive it at the time of the post-mark?—Yes.

[*The same was delivered in and read:*]

Mr. Thomas Gardner. 15, Suffolk-street, Haymarket, London.

The late change in the Government has, I believe, made it totally out of my power to serve you in the way you desire, at least I do not know in what quarter I can make application for you with any hope of success. If I should hereafter have better opportunities to be of use to you, I shall not lose sight of your request.

Your well wisher,

To Mr. T. Gardner, 20, Factory-yard. *Winthrop M. Praed.*

4684. Do you know any thing of the memorarandum at the top?—No.

4685. Was that there when you received the letter?—No.

4686. Do you know the hand-writing?—No.

4687. Is that letter addressed to you?—Yes, I received it.

4688. Had you made an application to Mr. Praed for some place?—I had.

(*The Witness withdrew.*)

4 August 1835.

[*The Chairman read a letter which he had received from Mr. Baring.*]

My Lord,

With reference to the inquiry with which I troubled the Committee on Saturday, in consequence of the letter which I had received from the agent to the petitioners, I think it proper to inform your Lordship, that it is not my present purpose to attend before the Committee either personally or by an agent, but I have, from respect to the communication made to me by the Committee, requested a gentleman to attend for the mere purpose of apprising me of the evidence which may be adduced.

I have the honour to be,
My Lord, your obedient Servant,
Thomas Baring.

4th August, 1835,
40, Charles-street, Berkeley-square.

Mr. *Ashurst* called upon Mr. Praed to produce a letter from Thomas Gardner.

Mr. *Praed* stated, that he produced the letter in consequence of notice to produce, not as a witness, which was read.

Sir, No. 20 Factory-yard, Great Yarmouth, 16th Feb. 1835.

I have to request your making application to the Honourable Board of Customs, for the situation of a revenue officer in the coast-guard service on the preventive station. My age is 21, and my relations, the Woodhouses, Coopers and Gardners, were all in your interest at the late election. I have sent recommendations of my fitness and qualification for any situation of the kind, and trust you will exert your influence, as Captain Smith, R. N., informs me there are vacancies daily.

I am Sir,
Your obliged Servant,
Thomas Gardner.

Winthrop Mackworth Praed, Esq., M. P.

(signed) E. H. L. Preston.

Ambrose Goodwin Page, called in; and Examined.

A. Goodwin Page.

4689. WHAT are you?—A pipe-maker.

4690. Where do you live?—At Yarmouth.

4691. Were you in Mr. Springall's shop at any time preceding the last election?—I was in on the election day, the second election day.

4692. Will you state whom you saw on that day?—I saw as I was standing in the shop, three gentlemen come in; young Mr. Mortlock Lacon, Mr. Starling Lacon and Mr. Anthony Hanchard.

4693. You saw those three gentlemen come in?—Yes.

4694. Will you state what they did when they came in and what you heard?—Mr. Starling Lacon asked Springall if he had voted. He replied no. He said, "Go and vote with me." Mr. Starling Lacon replied, he must know the reasons that we would not. He said that his principles were the contrary way. Mr. Hanchard asked Springall to speak with him a minute in private. Accordingly they went into a small passage adjoining the shop leading from the keeping-room. Mr. Hanchard said to Springall "what are you waiting for?" He says, "Springall, can our party do any thing for you?" And he said "No; but I think if I were to vote for your party I should receive a great deal of injury as regards my trade;" and he said, "Well, what might be the loss you might sustain from it?" He said it might be 10*l.* or 15*l.*, he could not say exactly. Mr. Hanchard made answer and said, "Well, we will make that up to you in purchasing cigars, and I will look in again in about 20 minutes." He said, "Well, you will make up your mind by that time;" accordingly they left the shop. In about 20 or 25 minutes they returned again.

4695. Were you there when they returned?—I was; I was in the shop for the space of two hours, I suppose.

4696. When they returned again, state what passed?—Mr. Hanchard came into the shop and said, "Springall, have you made up your mind?" and Springall replied, "Yes." "How is it to be?" He said, "Decidedly against you." "Well," he says, "you are very wrong for so doing; you will receive great injury from it, for our committee have made up their minds to make a mark against all those tradesmen that will not oblige them in the election;" and Starling Lacon said, "Well, Springall, if our committee leave you I shall not withdraw my favours, but I can tell you that all our family will;" and then he begged of him to stand neuter, and with those words he left the shop.

4697. Is

4697. Is that all that you know?—About a quarter of an hour after that Mr. Mortlock Lacon, sen. came in.

4698. What did he say?—He put the same question as his son, whether Springall had voted.

4699. Repeat what passed?—He said, "No, he had not;" he says, "Springall, go up with me and vote;" he says, "Really, Sir, I cannot."

4700. On which of the days of election was this?—On the second election day, between 11 and 12.

4701. On the second polling day?—Yes; he said, "Springall, you are a young man just beginning business, recollect your shop stands very handy for my house, and I have been a customer to you to some considerable amount, but if you disoblige me this time, I shall withdraw all favour, and I have no doubt that many of my friends will do the same;" and Springall told him that he really could not vote against his principles, and Mr. Lacon begged of him to remain neuter for a long time, and repeated it several times.

4702. Mortlock Lacon, sen. you are speaking of now?—Yes; after a few more of the same sort of expressions, I believe he left the shop; nothing more passed than that.

4703. What then passed?—Mr. Springall went up with me, and voted for Anson and Rumbold.

4704. Have you seen any parties, or heard any thing on the subject of this matter since then?—No, not a soul, I can take my oath.

4705. Have you spoken to Mr. Mortlock Lacon since then?—No, I have not spoken to him.

4706. Have you seen Springall since Saturday?—I have not seen him since he left Yarmouth; he came up to London last Friday, and I came up this morning; I have not seen him since he left Yarmouth.

4707. You tell the Committee that you have not seen Springall since he left Yarmouth?—No, I have not.

4708. Has any body told you what Springall stated here on Thursday?—No, I have not seen a person to hear about the statement.

4709. Whom have you seen?—Mr. Ashurst only; I took a cab when I left the coach, and went down to his office.

4710. Did any body in Mr. Ashurst's office state to you what Springall had said?—No, there was nobody but the clerk.

4711. State what Mr. Ashurst said to you?—He asked me to sit down for a few minutes, and then told me that I had to appear at The House at 11 o'clock, and to be sure not to be later.

4712. What day was this that Mr. Hanchard called upon Springall?—On the second election day, between 11 and 12.

4713. You were in the shop then?—Yes.

4714. In what part?—Sitting upon the counter, in a leaning position, towards the passage, and the passage being very narrow, and the shop being very small, and the door being open, I heard every one pass.

4715. Was the door open?—Wide open, in Mr. Springall's hand.

4716. Then, Mr. Hanchard was further from you then than Springall, was he?—No, they both stood perpendicular to me, and each of them with their side towards me, face to face; they stood not two yards distant from where I was.

4717. Was that conversation the precise conversation that took place between them both?—It was to the best of my knowledge.

4718. Then, Mr. Hanchard promised to purchase cigars of Mr. Springall to the amount of 10*l.* or 15*l.*?—He said, if he lost 15*l.* by it, he would make it up by purchasing cigars.

4719. He did not make a direct offer of 15*l.*?—He said he would make it up by purchasing cigars.

4720. Did he say, "I will," or "we will?"—"I will."

4721. Had you any conversation with Springall on the first day of the election?—Not that I recollect.

4722. You cannot state positively that you did not speak to him positively upon that occasion?—I think that I can, for I was busily engaged; I did not speak to him once scarcely.

4723. Was it on the second day of the election that Mr. Mortlock Lacon called upon you?—Yes, a quarter of an hour after the younger ones left.

4724. At what time?—Between 11 and 12.

A. Goodwin Page.

4 August 1835.

4725. You are in Mr. Springall's employ, in his shop?—No, I have nothing to do with Mr. Springall; I am with my father.

4726. Did you not supply Springall with pipes?—With what few he sells.

4727. But you do supply him?—With what few he sells; we are very intimate friends since he has been in Yarmouth.

4728. You understood from Springall that he would lose 15*l.* if he voted for the Reds?—Yes, if he voted for the Tories; he could not tell his loss, but it might be 10*l.* or 15*l.*, and Hanchard made the offer when he said that.

4729. Had you not the curiosity to ask him how?—I had no business with that; in fact, I did not give it a thought.

4730. If he voted for the Tories, he said he would lose 10*l.* or 15*l.*?—He might lose 10*l.* or 15*l.*; it might be more or less.

4731. Had you any conversation with Hanchard from that day to this?—No, I was at school with him; I have not had any conversation with him for four or five years.

4732. Had you any conversation with Springall since the Saturday?—No, I had not given the thing a thought till Mr. Waller sent for me.

4733. It struck you as a thing of no importance?—No, I did not give it a thought; I found that they were so barefaced in many things that they did, that I paid no attention to it.

4734. And you had no conversation whatever with Springall from that time to the present?—No, never a word.

4735. To whom did you first mention this now?—I never mentioned it at all; Mr. Springall gave his evidence, and the barrister asked if he had a witness, and he said he had.

4736. How do you know that?—That is what the barrister told me.

4737. Then you were examined?—Yes, the same day.

4738. And you are quite sure, from the day this happened till that gentleman came down, you had no conversation with Springall upon the subject?—No, not a word.

4739. But you say you are upon very friendly terms with Springall?—Yes, but the thing had entirely dropped; I never gave a thought about the thing till I was sent for; I never named it to him.

4740. After the Lacons went away, did Springall vote?—He went up with me, and voted.

4741. You had a vote yourself?—No, I did not vote then.

4742. Are you a voter?—I am a freeman of Yarmouth now, though I was not able to vote then.

4743. Had you any vote at that time?—No.

4744. Have you taken out your freedom since?—Yes.

4745. Has Springall ever got into any trouble with the excise upon any business?—I have heard a talk about it, though I do not know any thing about it; we have heard him talk about the excise coming and seizing tobacco.

4746. Has he told you that such a thing has happened more than once?—I cannot say; once he might name it in the way of talk.

4747. But whether he got into more than one scrape?—No, only once.

4748. How long ago was that?—I should think it was nearly three months; I cannot say exactly.

4749. Do you know at all whether he was had up before the magistrates on that occasion?—I believe he was; when the fine was left with the magistrates of Yarmouth, he was telling me about going.

4750. When was that?—I think it might be nearly a month from this time, but I do not know the particulars of it.

4751. Did Springall mention to you the conversation that had taken place, after the conversation with Hanchard?—No, he did not name it to me; I named it to him directly he came out; I said, "You are a flat if you do not take the fifteen sovereigns, and then vote on the other side."

4752. But there was no offer of the fifteen sovereigns?—But I understood it as he said that he would make it up to him in purchasing cigars.

4753. Did he ask whether 15*l.* would be any use to him?—No, he merely asked in the way I stated.

4754. Did he say that 15*l.* would be of any use to him?—He might possibly, but I cannot say whether I lost a word or not, but I have told what I heard.

4755. Springall never said he had had an offer of 15*l.*?—He never said so to me. *A. Goodwin Page.*

4756. Then if he has said that he told Mr. Page so, it is not correct?—I cannot recollect, I have a very bad memory in some things. 4 August 1835.

4757. At the time you heard this pass, do you suppose that Mr. Hanchard and Springall were aware that you heard what passed, do you think?—I suppose they were; Mr. Springall turned his head round once, and looked at me.

4758. You say that Springall had the door in his hand, and that the door was partly opened?—It was, and nearly all the way open, I may say all the way, with his finger and thumb upon it.

4759. Was Mr. Hanchard behind you?—No, Springall stood at the door, and Mr. Hanchard in the front.

4760. Did Mr. Hanchard see you?—He knew I was in the shop, though he did not know that I heard, perhaps, what he said.

4761. How long had Springall been in the tobacco business?—I should think about two years.

4762. Two years in that shop, or two years in the trade there and elsewhere?—I did not know him till he came to that shop; whether he had been in any other part of the town I do not know.

4763. How long had you known him in that shop?—Not above a twelvemonth.

4764. From this time?—It may be.

4765. Have you ever heard during that time that he had any difficulty with the excise in respect to the article in which he deals?—I never heard of it till this last circumstance.

4766. If they were so barefaced about this, what was the use of taking Mr. Springall on one side?—I cannot say; of course, he did not intend that I should hear it, though I did hear it.

4767. If they had many dealings of the same sort, they could not keep those all secret?—That is very true.

4768. Do you know of any?—Only from mere supposition.

4769 Do you know of any other case in which ten or five or fifteen pounds has been offered?—No.

4770. What do you mean by the remark, that they were so barefaced that you thought nothing of it?—I had heard it talked about the town; of course I had no proof about it.

4771. Do you not know that it is a serious thing to charge a man with bribery if you cannot prove it?—I am not charging him with bribery in the election because party spirit will cause them to be barefaced.

4772. You mean by barefaced that they were active in canvassing and strong partisans?—It might be that party spirit will cause that.

4773. They were strong partisans?—Exactly.

4774. And that is what you mean by barefaced?—Yes.

4775. Were you surprised at hearing such a proposition made to Mr. Springall?—Yes, because I did not think that they would have done it, particularly when they saw that there was one likely to hear it.

4776. You said the first time, "We will make that up in purchasing cigars;" the second time, "I will make it up," which was it?—I cannot recollect exactly the word which came from Mr. Hanchard.

4777. You are not certain whether he said, "We will make it up in purchasing cigars," or, "I will make it up in purchasing cigars"?—I cannot say; it was one word out of the two, "We," or "I," or something of that sort.

4778. What would you have understood, supposing the case to have been your own, would you understand that any one of those individuals, or the whole three would make up the loss?—Of course I should think that the one would do it, because the others had nothing to do with it not in my presence.

4779. Is not the construction just as probable that he meant that the party by dealing with him would prevent his suffering loss?—I cannot say what he meant; I tell what he said.

4780. You are not certain whether he said, "We will make it up to you," or, "I will make it up to you"?—No, I cannot say.

4781. Or, "It shall be made up to you"?—No, it was either "We," or "I."

4782. Did they look at any cigars at the time?—Not that I recollect.

4783. If this man was to suffer a loss of 10*l.* or 15*l.* the impression at the time was

A. Goodwin Page. was that the Blues were to deal exclusively with those who voted for them?—I did not hear any thing about that.

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4784. Do you recollect how the poll stood at twelve o'clock on the second day?—No, it is so long distant that I cannot say.

4785. Do you think that a vote could be of so much value when the Reds were so much a-head?—I cannot say.

4786. Are you sure that it was before twelve o'clock?—Yes.

4787. What did you understand by Mr. Springall's expression, that his loss would be 15*l.* or thereabouts if he voted for the Reds?—Mr. Hanchard asked him the reason he was waiting, and he said "Can our party do any thing for you?" or "The party." He said, "No, my reasons are, if I were to vote for your party I think I should receive a serious injury in my trade."

4788. What did you undestand by that?—That his trade would fall off.

4789. Did you say, "Springall, if I were you I would take the 15 guineas and vote on the other side"?—Yes, afterwards.

4790. Did you see Mr. Hanchard and Mr. Springall all the time of this conversation, were they in sight of you?—Yes, I could reach them with my arm, the shop is so narrow.

4791. Were the Lacons in the shop at the time?—Yes, one of them was.

4792. And both those parties, Mr. Hanchard and Mr. Springall, could see you?—Mr. Springall could see me, he turned his head; Mr. Hanchard did not turn his head.

4793. If you could see Mr. Hanchard he could see you?—Yes, he could, but he stood on his side rather with his back towards me.

4794. Where were you in the shop before this conversation took place?—I was sitting on the counter all the time I was there.

4795. You did not change your place?—No, except it might be to walk to the door once or twice.

4796. Then all the parties saw you?—Yes.

4797. As you went up to poll with Mr. Springall did you meet any of those parties?—No, not a person.

4798. And nothing was said to Springall when he gave his vote in the booth?—No, not that I recollect.

4799. Were those parties so near that you could touch them with your arm?—Yes; any gentleman in the room knows that the shop is very small, and between the counter and the side of the tobacco shop is so narrow that you could scarcely get along.

4800. What is the size of the shop, is it ten feet long?—I should think it is somewhere about that.

4801. And how wide?—About ten feet square, I suppose.

4802. Is it about as large as the space inside the table?—About that the biggest part is left for the customers.

4803. You made use of the expression, "barefaced," did you apply it to one party?—I did not mean to apply it to any party particularly, because, as I said before, party spirit would cause that.

4804. You mean to apply that to election proceedings?—Yes.

4805. Springall and Hanchard were in the passage?—Yes.

4806. And you were in the shop, and the door from the shop leads into the passage?—Yes.

4807. Where were the Lacons?—In the shop, close to the door.

4808. Did they see you?—Oh, yes, of course they did; they were in the same shop; I was sitting upon the counter, and they were upon the floor.

4809. Do you know any one person who has been offered or has received 10*l.* or 5*l.*?—No, I do not indeed.

4810. Were the Lacons near the shop door, or near the passage door?—They were near the shop door, leading into the street.

4811. How far from the shop door?—Perhaps two or three feet.

4812. How far from the passage door?—They were very close to the street door.

4813. How far from the passage door were they?—I cannot say, four or five feet it might be; I cannot say exactly, because I do not know the size of the shop.

4814. Had you any conversation with them whilst Springall and Hanchard were talking?—No, not a word passed between me and the Lacons.

4815. Are

A. Goodwin Page.

4 August 1835.

4815. Are you acquainted with Mr. Hanchard?—No; I went to school with him certainly, but I have not spoken to him for the last four or five years.

4816. Used you to speak to him?—Yes, I was at school with him.

4817. And used you to speak to him constantly then?—Yes; after I left school, I have not spoken to him since scarcely.

4818. Which of the Messrs. Lacons was present at the time this conversation took place?—Mr. Starling, but he did not hear it.

4819. Was Mr. Mortlock Lacon, sen. there?—No, he came in afterwards.

4820. Was Mr. Mortlock Lacon, jun. there?—Yes.

4821. There were two Lacons there?—Yes.

4822. And both in the shop at the time?—Yes, near the shop door.

4823. Had the cases of Boyce and Stevenson been generally talked of through the town?—I saw the bills out on the election day, on the walls about the town; I have one of them at home. "Took money, and voted the contrary way."

4824. Did you see those bills on the first day, or the second day?—The second day.

4825. Are those the sort of cases you allude to as barefaced?—I allude to the party spirit.

4826. You mean hot canvassing, and great exertion?—I heard of great exertion, though I never saw it myself.

4827. How long have you lived in Yarmouth?—All my life time.

4828. And you have heard of what is going on in former elections?—Yes, I have heard general talk.

4829. You said you knew of no person who had an offer of money?—No, except Springall.

4830. You are a freeman, and had no offer made to you?—I could not vote at that time, because I was not registered.

William Prentice, in the custody of a Messenger, was again called.

Wm. Prentice.

4830*. *Chairman.*—It is necessary for me to repeat the question to you which I asked on the last occasion when you were here, whether you persevere in declining to answer the question?—Yes, I certainly shall continue to persevere in that; I do it with the greatest respect, but still with firmness.

Mrs. *Ann Browne*, called in; and Examined.

Mrs. *Ann Browne.*

4831. WHAT is your husband's name?—Thomas Browne.

4832. Is he a voter for Great Yarmouth?—Yes.

The Chairman informed the Witness, that she was not bound to answer any question that criminated herself or her husband.

4833. Do you come here to speak the truth?—Yes.

4834. And prepared to speak the truth?—Yes.

4835. And the whole truth?—Yes.

4836. Mr. Green saw you yesterday, did he?—No, I never saw Mr. Green yesterday.

4837. Has Green seen you since you have been in town?—No.

4838. Do you recollect being canvassed by any body for your husband's vote while he was out?—Yes.

4839. Who canvassed you?—Mr. Preston.

4840. Which Preston?—Edward Lushington, I think it is.

4841. Any body else?—Oh, yes, there were a great many gentlemen came the first time.

4842. State who came the first time, those you remember; do you remember any?—Mr. Palmer of Fry's Lane was there.

4843. Which of them is it?—Ambrose, I think, a gentleman in the ship-building line.

4844. What trade is your husband?—A caulker.

4845. Do you recollect any other of the gentlemen?—Mr. Preston, I recollect him.

4846. Who was with him when he came?—Mr. Praed and Mr. Baring, I think those were the gentlemen, and the yard was very full of them.

4847. You mean your yard?—Yes.

4848. What passed then?—A gentleman asked my husband whether he would promise the vote to him, and he said, no, he should not promise; and they said,

Mrs. *Ann Browne.*

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what reason; he said, they did not behave well to him; and they said, will you promise not to vote against me, Mr. Browne; and he said he would not promise them.

4849. Did any thing happen after that?—One gentleman called out and said, "are you going to vote against your friends, Mr. Browne," I do not know his name; my husband said, that he did not know that they were friends to him, for he had had no employment from them, and I do not recollect any thing else; Mr. Preston came into my house.

4850. Did any thing else pass at that time?—No, there were a few words, but I do not recollect them.

4851. Did any thing happen afterwards?—Mr. Preston came into my house while the gentlemen stood in the yard.

4852. Was that Mr. Lushington Preston?—Yes.

4853. What did Mr. Preston say?—Mr. Preston said, "Mrs. Browne, I hope your husband will vote for my interest;" I said, I did not know any thing about it, it did not trouble me, or something in that way, and I made but very little answer, and he said he should see me at seven o'clock in the evening, when he would come down and have a little more talk, that was the word; he never came at seven o'clock; I waited the next morning at seven o'clock, but he never came; I think it was three or four mornings after that before I saw him, then he came in the morning about half-past eight o'clock, my little boy was not gone to school so that I know it is not more than that, and he said to my husband when he came in, "well Mr. Browne, I hope you will promise me your vote," he said, "no I shall not promise."

Mr. *Thomas Browne*, called in; and Examined.

Mr. *T. Browne.*

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

4854. HAVE you had a notice?—Yes, I received it in Yarmouth.

4855. Was it printed?—No, it was written.

4856. Have you it?—I have it in my pocket.—[*The Witness produced the papers which were summonses.*]

4857. Are those all the papers that you have received?—I received two before those.

4858. Is there a Thomas Browne, jun. living in Yarmouth?—No, I know a Thomas Browne, jun. but he lives in Gorlestone.

4859. Are you willing now to give evidence to this Committee?—Oh, yes.

The committee-room was cleared.

After some time the parties were again called in.

Thomas Browne, again called in; and Examined.

Mr. *T. Browne.*

4860. What are you?—I am a caulker.

4861. Did you see Green yesterday; have you had any conversation with him?—I saw him yesterday at the house that I went to to speak to some gentlemen, and I saw him this morning.

4862. What gentlemen were they?—This gentleman was one—[*Pointing him out.*]

4863. Have you had any conversation with Green at any time, in the course of the time you have been in London?—Yes, I spoke to him yesterday, he asked me what I was come up for, I told him I was come upon the business, and we had no particular conversation.

4864. What conversation had you that was not particular?—He asked me if I had spoken of any thing I knew; I did not give him any answer about anything that I was come for, no otherwise than that I was coming up here.

4865. Did he say any thing to you for telling?—No.

4866. Tell all that he did say?—I do not know that he said anything more; he asked me what I was coming upon, and I told him that I was summoned up here, and he said, "You received a paper," I told him "yes," then he says, "You are come on that account," I told him, "yes."

4867. Did he ask if you had told any thing?—He asked me if I had spoken of any thing in particular that I knew; I did not give him any answer about that.

4868. And that was all that passed between you, was it?—Yes; I do not recollect anything else.

4869. Whom

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4869. Whom were you canvassed by?—By the party of Mr. Baring and Mr. Praed.

4870. Who called upon you?—The last time that I was called upon was at my own house, and a company of gentlemen came into my yard with Mr. Praed and with Mr. Baring, and there were some gentlemen that I knew and some that I do not now recollect who they were.

4871. State who the gentlemen were that you knew?—I can recollect two or three of the gentlemen that were there; I think Mr. Palmer, the builder was there; Mr. Ambrose Palmer, the builder, in Yarmouth, and there was Mr. Edward Preston.

4872. Is that Mr. Edward Lushington Preston?—Yes; and I think there was Mr. Frederick Preston, the builder, and I am not able to say how many gentlemen, neither can I positively say who else were there.

4873. Mr. Baring and Mr. Praed?—I think Mr. Baring and Mr. Praed were both there.

4874. What passed then?—Mr. Praed asked me to give my voice in favour of him.

4875. State all that passed?—After that he had asked that question, I told him no, I had not made up my mind in respect of voting for either party, and I considered that as I had employment from the Blue party, for which I was at work, I had some thoughts of giving my voice in favour of those who I thought would be the most service to me in respect of my outward circumstances. The gentlemen entreated me all that they could to promise at that time, but I told them no, I did not choose to do it at that time; I should consider upon it which way I should vote; and Mr. Edward Preston, in the time I was talking with the gentlemen, went into the house and had some little conversation along with my wife, but to tell you what passed between her and Mr. Preston I am not able to say.

4876. What Mr. Preston is that?—Edward Lushington Preston; I did not promise, and the gentlemen went away, and about a day or two after that Mr. Preston came down alone by himself, and he spoke to me and said, "Where is your wife, Brown?" and he says to me, "have you made up your mind respecting voting for us?" I told him no, I had not made up my mind. Said I, "I consider that I have had employment from the other party, and this party I have had very little or none from." "Well," says he, "I can assure you, if you promise me your voice I will do all I possibly can for you, and I am to be mayor next year, and if I be I think I shall do something for you, and an employment I will find you as far as I can." I did not promise then; I told him no, I should not promise then; and I went after a little employment in the yard which I had to do, and he spoke some word; some little time he was in the house, and what he said I am not able for to speak.

4877. Whom did he speak to?—To my wife; after Mr. Preston was gone, when he went away, my wife ——

4878. Did your wife tell you what Preston said in Preston's presence?—No.

4879. What did you do next, or hear or see next?—After that Mr. Preston was gone, and about a day or so after that, I went and promised my voice in favour of Mr. Baring and Mr, Praed.

4880. After he had gone out from speaking to your wife?—Yes.

4881. Do not say what your wife said, but was it in consequence of something she did say that you went and made your promise?—Yes, it was.

4882. Whom did you go to make the promise?—I went to the rooms where the gentlemen were in Yarmouth.

4883. Where was that?—At the house opposite the Shakespeare's Head.

4884. That was the committee-room?—Yes.

4885. Whom did you see there?—There I saw several gentlemen, and Mr. Praed and Mr. Baring, and I went to Mr. Praed and Mr. Baring myself, and told them that I had come there to offer my voice in favour of them both; that is all at that time I had promised.

4886. Was Green of the canvassing party when they came to your house?—I do not recollect Mr. Green being there when the gentlemen came to my house.

4887. Was he at any time at your house?—No, I do not recollect.

4888. Tell the Committee what happened before you polled?—After that I had promised my voice in favour of Mr. Praed and Mr. Baring; it was some considerable time after that before the election commenced.

4889. Do you mean some considerable time in the course of that day, or many days after?—Many days after.

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4890. Did any thing happen to which Green was a party?—There was nothing happened of any account respecting the party, no otherwise than the freemen assembling themselves together, and that like; but there was nothing happened that I know of till the election day.

4891. Tell the Committee what happened on the election days; did any thing happen to you and Green on the election day?—Yes.

4892. Tell the Committee what it was?—In the morning of the election I was at Mr. Green's.

4893. Was that the first day of polling?—The first day of polling I was at Mr. Green's, and I breakfasted there; and after breakfast, about 10 in the morning, I was in the act of going to poll; and Mr. Green says to me, as I walked passed him, "Thomas, here are two guineas for you, that Mr. Preston promised to your wife;" I took it.

4894. Was there any thing more?—Then after that I went to poll.

4895. Did you pay for your breakfast?—No, I did not.

4896. How many tickets did you get at any time?—I got, I think, two half-crown tickets; not both at one time; in the course of the time before the election commenced.

4897. How many on the polling day?—I received after that I had voted a five shilling ticket and a half-crown ticket; that is all that I know of.

4898. Did you get any thing the next day, as a first day's poller?—I do not recollect receiving any thing after the first day.

4899. Did you get two guineas at Green's afterwards; the vote money?—Yes, I had the two guineas; but I did not receive it of Green.

4900. Whom did you get it from?—I and two more went to Mr. Green's to be paid on the second day of payment.

4901. How did you and those men act?—On the second day, about 10 in the morning, I and two more young men with me went to receive the money; the other freemen had been paid the day before; and I went with them into the room, and sat down with them; and one of the young men received the money which was due to three of us, which was 6*l.* 6*s.*; but I did not see Mr. Green give him the money; but before I came out of the house he paid for the beer that we had; that is, we had three pots of beer; that was 1*s.*, and he gave us 1*s.* 8*d.* a piece out of the silver out of the 6*s.*; after he had done that, we all of us went down to the Quay, and that young man changed the 5*l.* note, and gave me two sovereigns, and the other young man with me, and he kept two himself.

4902. Is that all you know?—Yes, I do not know any thing more.

4903. You said just now that the two other young men went for the money that was due to us; that was your expression?—Yes.

4904. What was that due for?—I considered that as we had always been paid the money, for voting money.

4905. What do you consider it?—I considered that it was no more than what we had received before, and as such it was our right to receive it.

4906. It was money for voting; you would not have had it if you had not have polled Red; not at Green's?—No, certainly not; if I had not polled Red, I certainly should not have received their money if I had polled on the opposite party.

4907. Then you got four guineas altogether and the tickets?—Yes, I did; I got four guineas and the tickets.

4908. Was that all you got?—Yes, I do not know any thing more.

4909. You did not get any thing more at any time?—Nothing more.

4910. What day did you go to Green's to get the two guineas, after you had voted?—I cannot tell.

4911. How long was it after you had polled?—I am not able to tell.

4912. What month was it?—That I am not able to tell.

4913. How long after you had polled did you go to Green's; when you got that 5*l.* note and a sovereign, which you changed with the other two men?—I am not able to say how long it was.

4914. Was it one day?—Yes, longer than one day.

4915. Was it several weeks?—I am not able to say how long it was.

4916. Do you recollect any circumstance that happened about that time?—I do not know any particular circumstance.

4917. Nothing by which you can fix the date?—No.

4918. What

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4918. What sort of weather was it you had for the election; was it snow?—No, I do not recollect any snow.

4919. Do you know that the election was in January, about the holiday time?—Yes.

4920. Was the spring considerably advanced before you got the vote-money?—It was some time after the election before I got it; but I cannot say how long.

4921. Was it a week after?—Yes, I believe it was.

4922. You said that it was the second day of payment; payment of what?—The payment of the two guineas.

4923. To whom was the payment made?—Part of the freemen received it the first day, and I was one of those who had not received it on the first day; and as such I received it the second day.

4924. You went with two young men, were they freemen?—Yes.

4925. Were there other freemen in the room at the time?—Yes, there was, I believe.

4926. After the election, did you never go to Green's to get a glass of grog on a Saturday night, or to drink afterwards?—No, I do not recollect being at Mr. Green's to get grog or any thing of the kind, only when those tickets were given that I allude to.

4927. You do not recollect how many Saturday nights there were before you received the vote-money?—No.

4928. Do you consider yourself a Blue?—I have always voted, nearly all my life time for the Tory party, and as such, considering of the thing I consider of little importance; doing of it is the thing.

4929. You never voted for the Blues?—Yes, I did once.

4930. Was the vote-money paid you then?—Yes, that was 45 years ago.

4931. Had you it in your mind to change this last time?—Yes, I hovered between two opinions; I could not tell any person which way I should go.

4932. Do you vote as a 10*l.* householder under the Reform Bill, or do you vote as a freemen?—I voted as a freeman.

4933. Are you a 10*l.* householder?—No, I am not.

4934. What rent do you pay for your house?—Six guineas.

4935. What time of the day was it when this gentleman came to your house and saw your wife?—Some time in the morning.

4936. In the early part of the day was it?—Yes.

4937. Was it before breakfast or after?—I rather think it was before breakfast; but to speak with certainty to that, I cannot; but it was the former part of the day I know.

4938. What were the names of those two men that went with you to Green's?—One was John Dye, and the other William Howlett; they are both caulkers.

4939. In whose employment are you at present?—The last job of work that I did was in favour of a gentleman that is of the Tory party.

4940. You are working for nobody now?—No, not at present.

4941. When you are at home, whom do you work for?—I had no employment at the time; I was not working for any one.

4942. Who was your last master?—The last man that gave me employment, his name is Smiter; he was one of the party; the last job that I had was of him.

4943. You work a good deal by the job, and are not in regular employ?—Our work is not at a certainty; our's is not a regular trade, as it were constant; it is uncertain, and we have nothing to do as it were to-day, but to-morrow there may be two or three jobs more than we can do; we know nothing of our work before it comes.

4944. Were you canvassed by both parties?—I was asked for my voice in favour of the Whig party, but I told the gentlemen that I had not engaged my voice to any one.

4945. When was that, before you were canvassed by the Red party, or after it?—I think that they came after the Red party, as much as I recollect.

4946. Did much pass at that time, did they press you much?—No, they did not say much to me, or I to them; they asked me for my voice, and I said I would not promise any parties.

4947. Was Mr. Anson with them?—Yes, he was, and I think Mr. Rumbold.

4948. Had they any private talk with your wife?—No.

4949. How many elections have you voted at?—I am not able to tell.

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4950. Eight or ten?—I am not able to say.

4951. Did you ever receive any thing more than vote-money before?—No, and never was offered it by any man; never, sixpence or a penny.

4952. Do you think you made a good bargain or a bad bargain; do not you think you sold yourself rather cheap for two guineas?—I do not know what other people have done, I do not consider I sold myself at all.

4953. Did you vote at former elections since you have been a freeman?—Yes, I have voted at all the elections that have taken place since I have been a freeman.

4954. Did you never get the two guineas?—Yes, I have had the two guineas at the election I voted before; for the last election, was Mr. Campbell and Mr. Preston.

4955. Did you ever get four guineas before?—No, I never got four guineas; and I should not have got it then if they had not given it me; I should not have asked for it.

4956. Did you ever get more than two?—No, not a sixpence more.

4957. You have got more since the Reform Act than ever you got before?—Yes.

4958. With regard to the first two guineas that were given to you on your going to poll, to whom did you mention it; to any one?—I did not tell any body of it.

4959. Had you never mentioned it till to-day to any one?—Yes, I have mentioned it before, but I did not say any thing about the two guineas after I received it on the day of the election.

4960. When did you first mention it to any one?—The first time of my mentioning it was here the other day, about three or four days back.

4961. Here in London?—No, in Yarmouth.

4962. To whom did you tell that?—This is the gentleman that I told it to—[*Pointing him out.*]

4963. Did he come and ask you whether you had had two guineas before you polled on this four days ago?—The way that it was known, I believe, was, my wife spoke of it.

4964. Did she know that you were likely to get two guineas, before you went to Green's that morning?—No, she did not know any such thing, nor I neither; and if I had not received them, I should have voted for the Red side, because I had promised them.

4965. What did you do with the two guineas; did you give Mrs. Browne that money?—Yes, I told her that I had received two guineas for her.

4966. She was very much surprised?—She would have been more surprised if i had been four.

4967. What did you receive before you came away from Yarmouth for coming here; did you receive any thing?—No, I did not receive any thing.

4968. Did your wife, to your knowledge, receive any thing?—My wife received money to come with.

4969. Did you see her receive it?—No.

4970. Did you pay her coach fare up to town?—I do not know who paid it; I did not see any body pay it.

4971. Did you make any objections to coming to see the gentlemen?—I certainly did not approve of coming at first.

4972. Did they threaten you at all?—No, they did not threaten me; as I was summoned up, I considered that I was under the necessity of coming in that point of view.

4973. Had you a summons to come?—Yes.

Mrs. *Ann Browne*, called in; and further Examined.

Mrs. *Ann Browne.*

4974. STATE what Mr. Preston said when he came?—Mr. Preston came at half-past eight o'clock in the morning; he said to me, "Will you persuade your husband to vote for my interest?" I said, "Why, he works for the Blues, and he will be turned out of employment." He said, "Never mind that, I will find him employment, I will be a friend to him; I shall be mayor next year, I expect, and so I hope that you will persuade him, and I will bring you two guineas down to-night at seven o'clock;" and I told him very well, I did not mind the money so much as I did the employment, it was work I wanted; and he said, "Well, do not

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not you make yourself uneasy, I shall be mayor, and then I will find him work or get him some place or other;" I cannot exactly recollect the words. I said to him, "He will be turned out of work after he has promised;" and he said, "Well, never mind; and," says he, "I will be a friend to you and to your family, Mrs. Brown." I said, "Very well, I will persuade my husband then to vote for you." "Do you think," he said, "you can?" I said, "Yes, O yes, I will persuade him to it;" and he said, "Will you send him down to the committee-room directly to promise?" I told him yes, I would; and I told him he had no occasion to be afraid, for when my husband had promised he would not forfeit his word, he would be sure to vote for them. Mr. Preston left; I cannot recollect any thing else. My husband came home, and I said to him, "My dear, you must go to the committee-room."

4975. You advised him to go to the committee?—Yes; I told him to go to the committee-room, and he said he should not go just yet; and I said, "Yes, I do expect that you will go and promise."

4976. Did he at last go to the committee-room?—Yes; I told him that he should not go to Mr. Palmer's, at Gorlestone, before he had promised.

4977. Did he in the end go to the committee-room?—Yes; he went to the committee-room and promised; and he said, when he came back, that he had promised; and I said, "You may go to Gorlestone now."

4978. On the first morning of the election, what happened then?—On the first morning of the election he went to Mr. Green's to breakfast; he got his breakfast, and about eleven o'clock he was going out to poll from Mr. Green's house.

4979. This is what he told you when he came back?—Yes.

4980. You do not know any thing of this of your own knowledge?—No.

4981. When he came back, what did he do?—He said, "My dear, I have brought you two sovereigns that Mr. Preston promised you; Mr. Green gave it o me."

4982. He gave you two sovereigns?—Yes, two sovereigns and two shillings.

4983. Had Preston promised you the two sovereigns?—Yes, and I expected it, but he never brought it down.

4984. And did your husband bring it with that message?—Yes; and Mr. Green said to him "Tom Brown, I want to speak to you; here are the two sovereigns that Mr. Preston promised your wife."

4985. That was what he told you on the same day?—Yes.

4986. Had Mr. Preston promised you the two guineas?—Yes, to be sure he had; he was to come down, but he never did.

4987. Did your husband give you over the two guineas?—He gave me two sovereigns, and spent the two shillings himself.

4988. What did he say when he gave you this?—That he had been to Mr. Green's for it.

4989. What time was that?—I do not know.

4990. Did you tell Mr. Preston that the two guineas were not enough for yourself?—No, I did not; I told him that I was very much pressed for money.

4991. Did you ask Mr. Preston for it?—No, I did not.

4992. Did you say "you will do a little for me," before he promised any thing?—No; he said, "Mrs. Brown, I will give you the two guineas if you will persuade your husband to vote."

4993. You have great influence over him?—Yes, I could persuade him; I did it for the best.

4994. Your husband was working for the Blues at the time?—Yes; and he said if he saw Mr. Palmer, he would have voted for them; but I thought it was best; Mr. Preston promised he would be a friend to him.

4995. You were afraid that your husband would be turned out of his employment?—Yes, I knew that very well, because that is nothing but what is right.

4996. Was he turned out?—Yes; Mr. Preston never took a bit of notice of him.

4997. Who turned him out?—Mr. Boyce, the caulker; he never gave him a bit of work, and my husband was very angry with me, and said, "Ah! it is all your fault;" and Mr. Boyce never took a bit of notice of him.

4998. When was he turned out of his employment?—Directly; he never went any more to work.

4999. When?—As soon as ever he had promised; they soon knew that.

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5000. And sent him from his work directly?—I asked him whether he was going to work, and he said, "I have done there for them," he was not going to work.

5001. Is that Edward Boyce?—Young Mr. Boyce; I do not know his name; Daniel, I think his name is; he is a master caulker; it is his son that is here now.

5002. Not the son who was examined the other day?—No, not him, his father.

5003. That is the constant practice; if a man does not vote as his master wishes him, that he loses his work?—I cannot say any thing to that.

5004. You expected that it would prove thus in your own case?—My husband said that the Blue party behaved very bad, and thought he should have a right to vote for them.

5005. And Mr. Daniel Boyce's sentiments in favour of the Blue were very well known before the election, were they?—I do not know.

5006. You knew he was a Blue?—Yes, I knew he was a Blue.

5007. A very strong partisan of the Blues, was he?—I am sure I do not know any thing about the man; I very seldom used to speak to him; I knew he was a Blue, and that he would not give my husband any work if he did not vote for his interest.

5008. You did not see Mr. Boyce yourself?—No.

5009. Were you cavassed by any of the other party?—No, I said to my husband "you may depend upon it that the Blue party will be here, because if you do not promise at once, I know you will go for the Blues."

5010. Is Mr. Lushington Preston an alderman?—I do not know.

5011. Do you know whether he could be mayor?—I do not know, he expected it.

5012. Has he never been mayor since?—Oh, no.

5013. You never told your husband any thing about the two guineas that Mr. Preston promised you before the election?—Yes, I told him that I had the two guineas promised me certainly, I told him that I expected it at seven o'clock at night.

5014. Did you tell your husband that Mr. Preston promised you?—Yes, certainly, I told my husband that I had a present from Mr. Preston.

5015. This Mr. Daniel Boyce, whether he is a strong partisan or not, did, because your husband would not vote for the Blues, turn him out of employment?—He did not give him work; he had promised the Blues to give work to them, as Mr. Preston promised my husband to be a friend of me and my family; I expected it.

5016. Have you any family?—Yes, I have a son and daughter.

5017. Is your son at work? A gentleman took my little boy from the Lancasterian school.

5018. He is a child yet?—He is now going 13.

5019. Did your husband ever apply to Mr. Boyce for work after he had promised the Red party?—I do not know what he did; I cannot be answerable for what my husband and Mr. Boyce talked over, I can only say that Mr. Boyce appeared very angry.

5020. And he has never done a bit of work for Mr. Boyce since?—No, he has never done a day's work since, he has not had any thing, only a week's work ever since the election.

David Fisk, called in; and Examined.

David Fisk.

5021. WHAT are you?—A painter.

5022. Are you a voter for Yarmouth?—Yes.

5023. Did you vote at the last election?—Yes.

5024. How did you vote?—Red.

5025. Do you vote as a freeman?—Yes.

The Chairman informed the Witness that he was not obliged to answer any question that criminated himself, but to speak the truth and the whole truth.

5026. Are you willing to state the truth?—Yes.

5027. And the whole truth?—Yes, and nothing but the truth.

5028. Were you canvassed at the last election?—Yes.

5029. By whom?—By Mr. Ptaed

5030. And

5030. And who else, just state the gentlemen who canvassed you, did Mr. Praed come attended by any body?—Yes, there were several other gentlemen.

5031. Do you know them?—Mr. Green the chairman was one man.

5032. The chairman of what?—Carried a sedan chair, keeps a public-house.

5033. The King's Head, Green?—Yes.

5034. Any body else?—There was a man of the name of Skyles, the tallow-chandler.

5035. Any body else that you know but him?—I think Mr. Preston was there too.

5036. Which Mr. Preston?—Lushington Preston.

5037. Did you go into any room where those gentlemen were at any time?—No, not then.

5038. At any time?—Yes, after that.

5039. Will you state to the gentlemen what happened with reference to your vote as connected with that election; cannot you state it without being questioned?—I do not recollect it now.

5040. Do you say that you cannot give your own narrative?—I am willing to answer every question that is asked.

5041. Did you at any time go to the Red committee-room?—Yes.

5042. Do you remember it?—Yes.

5043. Whom did you see there?—I went several times, I saw several gentlemen and several other people there to.

5044. Who were the gentlemen?—I do not know any particularly, only at one time, which was the election day.

5045. But when you first went there you do not know whom you saw, when did you first go there?—It might be a fortnight before the election.

5046. What did you go there for?—There was a fire there, and it was very cold, and I went to sit over the fire.

5047. Did you go for any purpose connected with your vote?—No, not at first.

5048. When did you go to the committee-room for any thing connected with your vote?—On the election day.

5049. Whom did you see there then?—Mr. Lushington Preston.

5050. Any body else?—Yes, I saw several gentlemen there.

5051. Persons whose names you knew?—No.

5052. What happened there?—Mr. Lushington Preston spoke to me, and asked me what I wanted.

5053. What did you say?—They asked me what I wanted, and I told them I did not know hardly.

5054. What did he say to that?—He told me to go down into the yard.

5055. Any thing else; what were you to go into the yard for?—There would be a gentleman there who wanted to see me.

5056. Did he say any thing else before you went down into the yard?—No.

5057. Did you then go into the yard?—Yes.

5058. Did you see any body in the yard?—Yes, John Algar.

5059. Did you see that gentleman just after you were served with the summons, and when you were coming to London?—No.

5060. When you got into the yard did you see him?—Yes.

5061. Did you speak to him?—I spoke to him, and he spoke to me; he held five sovereigns in his hand, and told me to come along with him.

5062. Did you see the sovereigns?—Yes.

5063. How did he hold them?—Between his fingers.

5064. And said you were to go along with him?—Yes, and he gave me them afterwards.

5065. What passed between the time when he held them in his hand, and said come along with me, and the time that you got possession of them, did you go out together?—Yes, we went out into the market.

5066. Did any thing pass in the market?—Yes, we stood talking there for some few minutes.

5067. What about?—He wanted me to go to vote, and I would not go without having the five sovereigns; he said he not would give them to me first, and I said then I would not vote at all.

5068. Was that often repeated?—No, not above once or twice.

 5069. Did

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5069. Did you go towards the booth?—No, we kept standing still; and two other gentlemen came up.

5070. Who were they?—Mr. John Baker was one.

5071. Who was the other?—Mr. Costerton.

5072. Which Mr. Costerton?—I do not know his other name; he said his name was Costerton; he is an old stout gentleman; I think he is a water-bailiff.

5073. Did any thing pass with them?—Yes, Mr. Baker asked if I would go up and vote, and I told him no, and he said, "Remember you do not then come on my premises any more to work."

5074. Did Costerton say any thing?—Yes, he called me on one side.

5075. When he called you on one side where did you go to, far from the others?—Not above a hundred yards, and he asked me if I would not go and vote with him, and I told him no, and he said, "What cannot you take my word, my name is Mr. Costerton."

5076. What did you say?—I told him no, I would not take any body's word, unless I had the money first.

5077. Did any thing more pass, what did he say to that?—We went back again to Mr. Algar's.

5078. Where?—They stood about a hundred yards off from us in the market-place.

5079. You joined them?—Yes.

5080. What then took place?—Mr. Algar called me on one side, and he took me into Dr. Taylor's shop.

5081. Did any thing pass there between you and Dr. Taylor, or any body else?—No.

5082. What was done when you got to the shop?—Mr. Algar went into a small room there is by the side of the shop, and he took out the five sovereigns.

5083. Did you also go into that room?—Yes.

5084. Was there any body else in the room besides you and Algar at the time you are about to speak of?—No.

5085. What did he do?—He put five sovereigns between the leaves of one of the account books, and quitted the room.

5086. Did he do any thing or say any thing in the room besides putting the sovereigns between the leaves of the book?—No.

5087. Did you see him put the sovereigns there?—Yes.

5088. Was there any thing in his manner which led you to judge what they were put there for?—I thought by his showing of them before, and telling me that he would give them to me, that he laid them there for me, and so I went and took them.

5089. When did he tell you that he would give you the five sovereigns?—A few minutes before.

5090. After the time that you talked with Costerton?—No, just before that.

5091. When he put them in the book in this room he said nothing but went out, what did you do?—I went and took them.

5092. When you had taken them, what did you then do?—I came out of that room, and I asked him if I might have them, and he said, "No," and he was talking with a young man of the name of Hanchard in the shop.

5093. What is Hanchard?—A pupil of Dr. Taylor's; I think Hanchard said I will be bound for Fisk, and I said very well then I will go, and we went directly.

5094. To whom did Hanchard say that?—To Mr. Algar.

5095. What did you understand Hanchard to mean by that, I will be bound for Fisk?—That he would be bound that I would vote for them if I took the money.

5096. What said Algar?—He did not say any thing more; but he came out of the shop, and he wanted me to accompany him up to the poll.

5097. Did Hanchard accompany you?—No, only me and Algar.

5098. Where did he want you to go up?—Up to the booth to poll.

5099. What did you say?—I told him I would go by myself.

5100. Did he leave you?—Yes.

5101. Did you go and poll Red?—Yes.

5102. After you had polled, did you state this to any body?—No.

5103. Did you ever name it to any one?—No, not one.

5104. Next

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5104. Next day did you see Harbord in company with any body?—I went and called him the next morning before he got up.

5105. Did you tell Harbord something?—Yes, I did.

5106. How many tickets did you get?—I cannot say exactly.

5107. How many do you think?—Four or five; there might be more or less; I cannot say exactly how many.

5108. Where did you get your first tickets?—At the Red Lion.

5109. Did you get money for them?—Yes.

5110. Where?—From the man that gave me the tickets.

5111. Whose house is that?—Mr. Tomlinson's.

5112. Where did you get the next?—At the committee-room.

5113. When?—On the election day.

5114. How many had you had before the election day?—Five or six.

5115. At different houses, or all at one time?—At different houses.

5116. What was the value of the whole?—They were half-crown tickets.

5117. On the election day, how many did you get?—Thursday I got three.

5118. What was the value of them?—Seven shillings and sixpence; I took them to the Shakspeare, and got them cashed directly.

5119. Was there any waiting?—Several were waiting in the room for the money.

5120. Was the money there at first?—No.

5121. How do you know that the money was not there?—Because the people said that they were waiting for it, and there was no money till they brought it.

5122. Did you see the money brought?—Yes.

5123. Was it in a bag?—Yes.

5124. Did it appear much?—It appeared about eight or ten inches square.

5125. How many were waiting when you were there?—I should think there were 20.

5126. Did you go to the committee-room for those tickets?—Yes.

5127. Whom did you see?—There were two gentlemen writing at the table, but I do not know who they were.

5128. You did not know them personally?—No.

5129. What did you say when you went to get the tickets?—I did not do any thing; I stood looking about the same as others till they called my name over.

5130. What did they call your name from?—A piece of paper that they had, and a list of persons that had been and voted.

5131. Did you then go up to the table?—Yes.

5132. Who was writing there?—Two gentlemen.

5133. Only two?—Not more to the best of my knowledge.

5134. Was your name written down then?—They put a cross against it.

5135. You saw that done, did you?—Yes.

5136. You are sure there was no person there you knew?—To the best of my belief, there was no person there at all the first day.

5137. When did you go again?—On the second day I got 2*s.* 6*d.* more.

5138. What was that for?—Because I voted as a first day poller, I believe.

5139. Whom did you see there?—The same two gentlemen were sitting at the table.

5140. Was any body else there?—Young Harbord, he was there.

5141. Harbord is the man; you have been speaking of, a voter?—Yes.

5142. Was there any other gentleman there that you knew?—No, not one.

5143. The same two gentlemen were sitting there, and you did not know either?—No.

5144. You have told the Committee that you have come to speak the truth?—Yes.

5145. You have told the Committee that you got 5*l.* from Mr. Algar, that you took out of a book in Dr. Taylor's shop; is that so?—Yes.

5146. Whom did you see just before you started to come here; who talked to you about your coming up to London?—No one.

5147. Did not a gentleman speak to you before you came?—No.

5148. Did you not see Mr. John Aldred?—I saw him in London.

5149. Did you not see him in Yarmouth?—No.

5150. No one spoke to you about your coming to London?—No.

5151. Had you any conversation with him?—I saw him yesterday, and he asked us what day we came up.

5152. Did he not say any thing about your evidence?—No.

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5153. You did not see him in Yarmouth at any period after you were summoned, or before it?—No.

5154. Do you know a person of the name of Swinton?—No.

5155. You do not know any person of that name?—No.

5156. Do you know a man of the name of Popy?—Yes, I know Mr. Popy, of Gorlestone.

5157. You do not know a person of the name of Swinton?—No.

5158. Do you recollect meeting Mr. Popy in a public-house?—No.

5159. At no time within a month or five weeks?—No, I have not seen Mr. Popy.

5160. You never saw him in a public-house at all?—No.

5161. Did you ever speak to him about the money you received at the election?—No.

5162. You are quite sure of that?—Yes.

5163. You never told him that you received nothing more than your vote-money and your tickets?—No, I never said so.

5164. You are speaking the truth when you say that?—Yes, I never told him any thing.

5165. You never, since the election, and up to this time told Popy what money you received at the election for your vote?—No, I never saw him since the election.

5166. Did Hanchard see the money in your hand?—No, I took it and put it into my pocket.

5167. Did you tell him that you got it?—No.

5168. When he said, "I will be bound for Fisk," he did not know that you had any money for it?—He heard me say to Mr. Algar that I had got it.

5169. When you came out of that room, where you saw the gilt-edged book, to Mr. Algar and Mr. Harbord, you stated, in the hearing of those parties, that you had taken the five guineas, did he appear displeased at your taking them without his permission?—No.

5170. Did he ask you for them again?—No.

5171. And he never found fault with you for taking the money?—No.

5172. Therefore your belief is, that he left them for you to take?—Yes.

5173. But he was not present, and could not see you take them?—No.

5174. Did he see them in your hand?—No, I had put them in my pocket; I told him I had taken them; might I go with them; and he said no.

5175. Afterwards Harbord said he would be bound for you?—Yes, and Mr. Algar went out with me and wanted to accompany me to the poll; and I said I would go alone.

5176. Costerton was not with you?—No; he left us in the market.

5177. Are you a married man?—Yes.

5178. Did you tell your wife about this?—I certainly did tell her; I told her I had got it; and I told her whom I had got it from.

5179. Did you give her the money?—No, I paid the rent with part of it.

5180. And kept the rest in your pocket?—No, we paid several debts with it; it came very handy at the time, for I had just broken my arm.

5181. This Mr. Algar was not the party who had held the sovereigns between his fingers, was he?—Yes, the same gentleman.

5182. You received the two guineas at Green's?—Yes.

John Harbord, called in; and Examined.

John Harbord.

5183. WHAT are you?—A painter.

5184. A voter for Yarmouth?—Yes.

5185. Did you poll at the last election?—Yes.

5186. Red or Blue?—Red.

5187. Are you a freeman; do you vote as a freeman or a 10*l.* householder?—As a freeman.

The Chairman informed the Witness that he was not bound to answer any questions that criminated himself.

5188. You are willing to speak the truth?—Yes.

5189. On the morning of the election did any thing happen in reference to you or your vote; were you canvassed by any body?—No.

5190. Did

5190. Did any thing happen at that time?—No.

5191. Were you in a public-house at any time when you saw Jacob Harvey or any other person about this?—I was not in the public-house.

5192. Have you ever seen Jacob Harvey on the subject of your vote?—No.

5193. Have not you been examined before on this?—Yes.

5194. Did you at any time receive any tickets?—Yes.

5195. Where did you receive your first?—The first time I received a ticket was at the Red Lion.

5196. Whom did you see at the Red Lion?—A great number of them.

5197. Did you see any one person in particular?—No, not particular, I did not.

5198. Who was the chairman?—Mr. Bull.

5199. When was this?—I am not able to say; before the election.

5200. How long?—I am not able to say.

5201. How many days before the election?—I am not able to say, for I never troubled my head about that.

5202. Did you receive any money from any person for your vote?—I believe I did.

5203. State how much you received?—I received 6*l.*

5204. From whom?—A man in the same trade with me.

5205. Where did you first talk with that man who gave you the money?—He came to my house.

5206 When he came to your house, what passed; what was his name?—Mr. Woodhouse.

5207. Do you know his christian name?—No, I do not.

5208. What is he?—He is a painter, a master.

5209. What did he say?—He wanted me to go up to poll.

5210. What else did he say?—He asked me if I would go and poll with him, and I refused him.

5211. What did he say then?—He told me to come up to his house in about half an hour's time.

5212. Did you go?—Yes, I did go.

5213. When you got there whom did you see?—Mr. Woodhouse and his wife and children.

5214. What passed between you and Woodhouse then?—He asked me what I wanted, and I told him I did not know, I was sure.

5215. What did he say?—He said he would give me 7*l.*, and then he went out of the room.

5216. What for?—I do not know.

5217. What do you think it meant?—To go and vote, I suppose; I do not know what it was for; he never told me what it was for; I never asked him.

5218. You got the 7*l.*?—No, I did not.

5219. How many?—Six.

5220. Tell the Committee how you got the 6*l.*?—He went out of the room where I was backwards to the kitchen to his wife, I suppose, and he then came again and told me to ask one of his daughters for something to drink.

5221. Was that all that he then said?—Yes, I went out into the kitchen into the back part, and I asked the daughter.

5222. Whom did you see, one of the daughters?—There were two or three.

5223. Did you see one of them?—Yes, and I asked her for something to drink; she gave me a pot with some porter in it, and the sovereigns into the other hand.

5224. Did any thing else pass?—No, not a word.

5225. When you got the sovereigns, what did you do?—Put them into my waistcoat pocket.

5226. What did you do afterwards?—I went out, and went and polled.

5227. Whom did you see when you went out?—I saw a great many people, but never noticed them.

5228. Did any body go with you?—Mr. Woodhouse followed me at a distance.

5229. Did you see him following?—Yes, I looked behind.

5230. You voted Red?—Yes.

5231. Did you see Fisk at any time?—Yes, he came up to me as soon as I had voted.

5232. Did you mention that circumstance to him?—No.

5233. Did you not say any thing to him about the sovereigns?—Not then I did not.

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5234. When did you name it?—He and I had some breakfast at Mr. Tomlinson's, at the Red Lion.

5235. When you were at breakfast, what occurred; did you get 7 *l.*, as you had been promised?—No, I did not.

5236. When did you learn that you had not 7 *l.*?—Because I went into the yard and took them out of my pocket, and found there was one short.

5237. Did you show them to any body?—No.

5238. Did you say any thing about it?—Yes, I think I did say something, but I forget.

5239. Did you mention to him that you had not 7 *l.*, as you had been promised?—I told him that I was promised 7 *l.*, but I had not got 7 *l.*

5240. How many had you?—Six pounds.

5241. And you named that to him at the time?—No.

5242. When?—When we got out, and were going to the market.

5243. Had you seen Fisk before you went to Woodhouse's?—Yes.

5244. Had Fisk told you any thing about his own vote?—No

5245. Had you had any conversation with him about his vote, or about taking money?—Not that I know of.

5246. Did you see any body else, prior to your going to Woodhouse's, who had named Woodhouse to you?—Yes; there was a young man of the name of Kent came to my house, and asked me to go to vote.

5247. Was that before Woodhouse had called?—After.

5248. If the Committee understood you rightly, you said that Woodhouse called, and told you to come in half-an-hour; and you went in half-an-hour, and got the money?—Yes, I did.

5249. Did Kent call between?—Yes, and asked me to go with him, and I went to Woodhouse's with him; as I was going up our row, I happened upon Fisk, and I asked him to go with me; and he did up to Mr. Woodhouse's door.

5250. Did Kent also go with you to Mr. Woodhouse's door?—Yes.

5251. Did Kent go in with you?—He went into Woodhouse's, but where he went after that I do not know.

5252. Was he present when Woodhouse spoke to you?—No.

5253. Who else had called upon you; had Mr. Paget called?—He and Woodhouse came together.

5254. Did Woodhouse come more than once?—No.

5255. When he came, Paget came with him?—Yes.

5256. Which Paget was it?—Frederick Paget.

5257. Did he hear what Woodhouse said?—No.

5258. Where was Paget when Woodhouse spoke to you, and desired you to go to his house?—He was gone.

5259. How did you know he was there?—I saw him; he came into the house with Mr. Woodhouse, and asked me if I would go to poll, and I told him no, and then he went out, and Mr. Woodhouse stopped.

5260. Whilst Woodhouse stopped, was there any conversation between you and Woodhouse?—What he said to me was, he asked me to go to poll, and I refused him, and he told me to go up in half an hour's time, and then Kent came down to my house, and asked me if I would go with him to Mr. Woodhouse's.

5261. What did Kent say; did he say that he was sent by Woodhouse?—I am sure I do not know; I cannot remember.

5262. Did he say come to Woodhouse's?—He asked me to go to Woodhouse's with him.

5263. Did you see any other gentleman who asked you about your vote previous to your voting?—No, I only saw Fisk as I was going up the row.

5264. That is the man that was here just now?—Yes.

5265. Had any body been to canvass you?—No.

5266. How many tickets did you get?—Three or four.

5267. How long before the polling day had you any?—I am sure I cannot say; I can recollect when I had one, that was on Christmas-eve.

5268. How many had you before the polling?—Three or four.

5269. How many had you on the day you polled?—I had three half crown tickets.

5270. Did you go to Green's afterwards, when the vote money was paid?—Yes, I went there.

5271. You had three tickets?—Yes.

John Harbord.

5272. Is that all that you received, the six sovereigns, the two guineas at Green's, and the tickets?—Yes.

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5273. Did you turn the tickets into cash?—Yes, I went over to the Shakspeare to turn them into cash.

5274. Was there any money when you first got there?—No, there was not.

5275. Where did you get your tickets on the first day; in the committee-room?—Yes.

5276. Who was there writing?—There were several people; I knew only one, that is young Mr. Lacon.

5277. How did you get your tickets; what was done; did you go to ask for them?—Yes, I told them my name, and they gave it me.

5278. Was there any pen and ink there; had they any list?—Yes, they had a list of something.

5279. Did you see them mark any thing?—I saw them keep the pen upon the go.

5280. What was it going upon?—It was upon the paper; I do not know what it was.

5281. Was there any mark made when you got your tickets?—Yes, I believe there was.

5282. Was Mr. Lacon there?—Yes, I believe he was; he had a pen in his hand.

5283. Was he sitting at the table?—Yes, he sat at the head of it.

5284. Which Mr. Lacon is that?—They call him Captain Lacon, I think.

5285. Is that the gentleman there?—[*Pointing to the gentleman in the room*]—No.

5286. You say Kent and you went to Woodhouse's; was this before polling?—The morning of polling, half an hour before I went to poll.

5287. And it was upon that occasion that Fisk went to the door with you?—Yes.

5288. It was after you had polled that you went to the Red Lion, and there you first found that you had six instead of seven sovereigns?—Yes.

5289. What did you do upon that?—Never said nothing.

5290. Did you go to Woodhouse's?—No, I never spoke to the man since.

5291. At the Shakspeare, where they changed the money, do you know the person who changed it?—Mallet.

5292. You saw him change it?—Yes.

5293. Were you canvassed by the Blues?—Yes, I was.

5294. Did they offer you any thing for your vote?—No, never mentioned such a thing.

5295. Did you ever hear that there was any money stirring for votes?—No.

5296. Never heard that any body was buying votes in the town?—No, never heard such a thing.

5297. Did you not think Mr. Woodhouse would offer you any thing?—No.

5298. You had no intention of voting at all?—No.

5299. Whom did you get your tickets from on the election day?—Captain Lacon gave me the tickets.

5300. You got nothing the day after the election?—No.

5301. Do you know what time of the day it was?—About noon time, about twelve, between twelve and one; I cannot say exactly to a minute.

5302. Have you heard that any body was better paid than yourself?—No.

5303. Did you hear of any body that got so much?—No.

[*The Witness withdrew.*]

The committee-room was cleared.

After some time the parties were called in, and informed, that the Committee did not wish to have any further evidence with respect to the tickets, unless evidence could be produced of the gross amount.

William Gardner, senior, called in; and Examined.

W. Gardner, sen.

5304. ARE you the father of the young man who has been examined here of the same name?—Yes.

5305. Are you a voter for Yarmouth?—No, I did not register, I was too late.

5306. Have you voted upon former occasions?—Yes.

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5307. And you are a Blue?—Yes, I am.

5308. Are you a freeman?—No, a ten pound voter.

5309. On the morning of the first day of the election had your son William any conversation with you?—Yes, he had.

5310. Will you state to the Committee what he told you?—After he had voted he came up to my house and showed me six sovereigns that he had received of Mr. Lushington Preston in our bed-room.

5311. Were you injured during the election in any way?—Yes, I was.

5312. Where was that?—At the Angel Inn on the market.

5313. After you received that injury did you go to Green's?—No, I did not.

5314. Were you in any squabble in any way?—At the Angel.

5315. After that?—No, not after that.

5316. Had you any conversation with your son after his vote or any thing relating to his vote about six weeks after the election?—Yes, I had.

5317. Had you more conversations than one with him upon that subject?—Yes.

5318. Are you prepared to state what those conversations were?—Quite prepared.

5319. Did you go with him in a gig that has been spoken of?—Yes.

5320. Are you prepared to state all you know about that?—Quite, I shall state nothing but the real facts.

5321. Did you go on the morning of the second day of the election to the Angel?—I did about one o'clock in the morning.

5322. What business had you there?—I cannot say, I was out, and I had a mind to see how things went on.

5323. How did you get in there?—The front door was fast and I knocked several times, and they asked who was there, and I said a friend, and at last they opened the door and I went in, and after I went in they asked who was there, and I said Gardner, and they said he is a d—d spy, turn him out.

5324. Did you see either of the Mr. Lacons there?—No, there were so many in the room after that freak commenced that I could not see Mr. Lacon, but I know his voice.

5325. Did you hear the voice of either of the Mr. Lacon's?—Yes, the younger Lacon.

5326. Which was that?—I think it was the one aged 18 or 19; I saw him afterwards in the market, I challenged him in the market, that was about 10 o'clock on the second day, I told him, "you behaved very much in an ungentlemanly manner."

5327. What were you referring to?—To this row in the house, he said, "damn it Gardner, we were all drunk."

5328. Are you sure that at one in the morning, on the second day of the election, or the night between the first and second day of the election, that you heard Mr. Lacon's voice at that time?—Perfectly, I challenged him in the market about 10 in the morning, and he said, Gardner, damn it we were all drunk.

5329. Were you sober?—Yes.

5330. You had been taking something before that, had not you?—Very little; I knew what I was doing very well.

5331. Was that the occasion on which you were injured?—Yes; at the time of the scuffle, John Thomas rushed upon me.

5332. You are sure that Mr. Lacon was there?—Yes.

5333. Did you ever wear a blue riband in your hat upon that occasion?—Yes, I did.

5334. Did you break your collar bone?—Yes, it appears that it was broken.

5335. Had you leeches put to it?—Yes, there were ten leeches.

5336. Who put those leeches?—Mr. Steward, he is chemist in Yarmouth.

5337. He sold them?—Yes, I was ordered by Dr. Cox to go to Mr. Steward.

5338. You were about two or three days after that injury, and indeed the next morning?—I was about the town, being so much excited in the election I did not feel it for two or three days; but afterwards I felt it.

5339. You are the father of William Gardner who has been examined here as a witness?—Yes.

5340. Do you know Johnson?—Yes, that is my son-in-law.

5341. Did he live in your house at the time?—He did.

5342. Did he see you after you had received this injury?—Yes.

5343. Did

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5343. Did you ever give your son any advice about some note?—I did, about a month or six weeks ago; he said, "There is a story about bribery;" and I told him to go to Mr. Preston, and ask his advice upon it how to proceed on it, as there was a talk in the town about bribery.

5344. Did you ever advise your son to go to Mr. Preston about a note?—I did, for fear we should come to any trouble, for I was unacquainted with bribery, and they made a noise about that he had taken the money, and I advised him to go to Mr. Preston.

Mrs. *Sarah Gardner*, called in; and Examined.

Mrs. S. Gardner.

5345. WHO are you?—The wife of William Gardner of Yarmouth.

5346. What is he by trade?—He is a rope-maker.

5347. Are you the mother of the William Gardner who has been examined here?—Yes.

5348. And the mother-in-law of William Johnson?—Yes.

Mr. *Ashurst* tendered this witness for cross-examination, but no question was put to her.

George Fisk, called in; and Examined.

George Fisk.

5349. YOU are a hair-dresser?—Yes.

5350. Are you a freeman, or a householder?—A householder.

3351. Are you a relation to David Fisk?—Yes, a brother to him.

The Chairman informed the Witness that he was not bound to answer any questions that criminated himself, but to speak the whole truth.

5352. You know George Groom?—Yes.

5353. What is he?—Waiter at the Angel.

5354. State to the Committee the circumstances on the first morning or the second morning of the election between you and George Groom?—If I am asked a question I can answer it.

5355. Did any thing pass between you and George Groom on the morning of the election?—Yes, he sent for me to go up and to shave him and dress his hair; and I went up, and after I had shaved him and dressed his hair he gave me five sovereigns, which I took, and afterwards I went up and voted at the election, which was at the first morning.

5356. What was that five sovereigns given to you for, what did you believe it was for?—I should judge that it was to vote in the Red party.

5357. Was that a Red house at which he lived?—Yes.

5358. And you went and polled?—Yes, I did.

5359. Did you poll Red?—Yes, I did.

5360. Had you been canvassed before by any body?—Yes.

5361. Whom by?—By Anson and Rumbold, and Praed and Baring, both parties.

5362. Who canvassed you on behalf of the Reds besides the candidates?— I do not know who the gentlemen were; I saw Mr. Praed and Mr. Baring.

5363. You had tickets also?—Yes, I had.

5364. A great many?—Yes.

5365. Did any body ever offer you 5*l.* if you would go up and vote for the Reds?—Yes.

5366. Who told you so?—Mr. Groom; he said that he would get me five sovereigns if I would poll for the Reds.

5367. When was this?—A few days before the election.

5368. On what day was it he gave you the five sovereigns?—On the morning of the election.

5369. Where did you see him when he said that; when he promised the five sovereigns?—At the Angel; for I used to shave him and dress his hair every day.

5370. How many days was it before the election?—I cannot say how many days, exactly.

5371. Was it three days?—Three or four days.

5372. Was it more than three days?—Something thereabout.

5373. Was it on Saturday?—That I do not know.

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5374. Was it on Friday?—To tell the truth, I do not know what day it was.

5375. Was any body present when he made you this offer?—No.

5376. Groom told you that if you voted for the Red he would give you five sovereigns?—Yes.

5377. In what room of the Angel were you?—It is a very large room which they have up stairs.

5378. At what time was this?—I should think at nine in the morning.

5379. Was any body present then?—No, only ourselves.

5380. To whom did you first tell this story about the five sovereigns?—That gentleman that sits there.

5381. Did you ever tell it between the time you received it, and when you told it to that gentleman?—No.

5382. When did you tell it that gentleman?—One day last week. Last Tuesday or Wednesday.

5383. How came you to tell it to that gentleman?—Because he sent for me, and asked me.

5384. Had any body else asked you whether you had received any thing for your vote?—No.

5385. You never mentioned it to any body till you mentioned it to him?—No.

5386. Do you recollect how long the conversation was?—No; I did not keep an account how long it is.

5387. Did you not tell it to your brother?—No; I named it to my wife.

5388. But you did not name it to any body but your wife?—No; I recollect that certainly.

5389. Were they sovereigns or notes you got?—Sovereigns.

5390. You got your money in sovereigns?—Yes.

5391. If Groom had sent for you at any other time to cut his hair and shave him, what should you have charged him?—Sixpence.

5392. Did he say that those five sovereigns were for dressing his hair and shaving him?—No, he did not.

5393. What did he say?—He did not say any thing to me. I knew what it was for, because he had spoken to me.

5394. Did he give you the sixpence beyond this?—No.

5395. Did he give you them before you had performed the shaving operation or afterwards?—Afterwards.

5396. Did he take them out of his pocket?—I cannot say, I think he did.

5397. Had you refused to promise your vote to any party before that?—The gentlemen came, and I did not promise them till about three or four days before the election. It was the Red party.

5398. Did you promise them before the conversation with Groom, in which he said if you voted for the Reds you would get five sovereigns?—No.

5399. You kept off any promise till that time?—Yes.

5400. To whom did you promise first?—Some of the gentlemen that came in the Red party.

5401. Cannot you name any body?—I think Mr. Praed and Baring.

5402. Did you see Messrs. Praed and Baring between the time you got the five sovereigns and the day of the election?—I got the five sovereigns in the morning of the election.

5403. Did you see Messrs. Baring and Praed between the time of seeing Mr. Groom and the day of election?—Yes.

5404. You had not made up your mind to vote till you saw Groom?—No.

5405. How does Groom pay you for dressing his hair?—Once a quarter.

5406. Was there any bill due from him for a quarter?—No, there was not.

5407. Are you sure of that?—Yes, he paid me his bill.

5408. That very day?—No.

5409. Within a week?—He paid me his bill which was due at Christmas.

5410. Then the 5*l.* you received did not cover the quarter from Christmas to March last?—No.

5411. Did he pay you anything for that quarter?—Yes.

5412. Do you know Harbord, the painter?—Yes.

5413. Did you not tell him about that?—No.

5414. Did not your wife tell anybody?—No; not that I know of.

5415. How did it get out then, do you think?—I do not know I cannot tell that; I have no idea; it was not from what I said.

John

John Francis, called in; and Examined.

5416. WHAT are you?—A publican and tradesman.

5417. Are you connected with Mr. Costerton in any way?—No never, only once was a servant to him.

The Chairman informed the witness that he was not bound to answer any question which criminated himself.

5418. Have you any objection to state what you know about this election?—Not upon a fair question, I have not.

5419. Did you go to the booth with Hatch to poll?—I did.

5420. Did Mr. Costerton go to the booth with Hatch to poll?—He was there, I believe when we went up.

5421. Were you and Mr. Hatch and Costerton together?—I did see Mr. Costerton.

5422. With Hatch?—I do not know that he spoke to me.

5423. Were you not all three together talking at the same time?—No.

5424. At no time?—Not at the poll.

5425. Where were you when you were all three together?—At the back of the hustings.

5426. What did you do at the back of the hustings?—I do not know.

5427. Do you not know what you yourself did?—We might do several things.

5428. What did you do behind the booth?—Am I compelled to answer that question.

5429. Do you object to answer that question?—I would rather object to that.

5430. Why do you decline to answer that question?—There is no particular reason.

Chairman.—You must answer every question that you have not a particular reason for not answering; if you are asked a question which will subject you to a charge hereafter, you have a right to refuse to answer that question, but you cannot refuse upon any other ground to answer it.

5431. State what reason you have, if you have any, for not answering that question; is there any thing in that answer which would criminate yourself?—I do not think there is any thing that I can criminate myself in; I believe I cannot criminate myself.

5432. What did you do behind the booth?—I will state, I might be intrusted, and I am sure I was intrusted with some money to give to Mr. Hatch, I will speak the truth, but for what purpose I do not know.

5433. Who gave you that money?—Mr. William Green.

5434. Is that the man who paid the vote money?—I know nothing about his paying the vote money, for I never saw him.

5435. Is he a publican?—Yes.

5436. Where was he when he gave you this money?—In his own house.

5437. When did you get it from him?—I received it from him on the morning of the election, the first morning of the voting.

5438. Who was present when he gave you the money?—Not any person that I recollect, except myself and he, I do not recollect any other person.

5439. Can you with certainty say that there was not any other person present?—I can say that, I know not, but I cannot say that there was not, or that there was, but I never saw them.

5440. How much did you receive?—Six pounds.

5441. Upon any other occasion did you receive money from Green?—No.

5442. Was 6 *l.* all you received at that time?—Yes.

5443. Was 6 *l.* all that you received at any time connected with the election from any person?—Yes.

5444. Were you never employed to pay money to any body else?—No.

5445. By no person?—No, not that I recollect,

5446. What did Green say when he gave you the 6 *l.*—That I cannot say.

5447. State what you and what he said in substance, not the exact words?—I do not recollect.

5448. How did you know whom you were to give that money to, what were you to do with the money?—It was money for Mr. Hatch, I believe "that is Hatch's money," was all that passed between us.

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5449. What did pass between you?—Nothing more to the best of my knowledge.

5450. How did you know that it was for Hatch?—Because he told me that morning, he said, that money is for Hatch.

5451. Did nothing else pass?—I do not recollect it.

5452. How came you to be introduced as a party to him who was to have the money?—My knowing of Mr. Hatch.

5453. Who sent you to give him the money?—I had been at Green's, and he gave me the money, he entrusted me with the money for to give into the hands of Mr. Hatch, and I told him if I did not give the money to Mr. Hatch I would be answerable for it.

5454. What had passed which induced you to say that you would be answerable had Green expressed a doubt?—No.

5455. Tell the conversation which led you to make that remark?—I should for you, if you entrusted me, if I did not do the duty be answerable as far as I could.

5456 Who sent you to Green's to get the money?—Nobody.

5457. Are you sure?—Yes.

5458. How came he to select you, why did he not give it to somebody else?—That I know not, I can only say, that the living close by the place, we live in the neighbourhood together, I live close to Mr. Green, and Mr. Hatch close to me.

5459. You being at Green's spoke to Green?—Yes.

5460. What did you first say to Green?—That I do not know.

5461. What was it about?—I do not recollect.

5462. Had not some gentleman spoken to you about it?—No.

5463. You are quite sure of that?—I am.

5464. Nothing had occurred between you and any other person that induced you to speak to Green about Hatch?—No.

5465. How did you know Hatch could be had?—Hatch had spoken to the parties, for what purpose I know not.

5466. How do you know that?—I never heard it; I think he had.

5467. What makes you think that Hatch had spoken to the parties?—Because he voted in favour of them.

5468. But he had not voted then; do you know whether he had or not before he received the money?—I believe not; I know that he had not.

5469. How do you know that?—Because I saw him go to the hustings.

5470. How do you know that he had spoken to them previously?—I think he had, because I believe I heard him say so.

5471. When and where do you believe that you heard him say so?—I heard him say so that morning.

5472. What did he say?—That I do not know; I cannot retain it in my memory; if I could I would tell you.

5473. You are sure he said he had spoken to the parties?—He had seen the parties; they had solicited his favour, he said.

5474. How did it happen that you went to Green for the money; had you conversed with him; you had not got the money then; had you heard him mention in the conversation about the money?—I was at Green's and at my own house too; Hatch was at mine.

5475. When Hatch had told you that he had spoken to the parties, he had not the money, and you had not the money; how came you to go to Green's; was it in consequence of something that he said to Green?—I do not know whether Mr. Hatch had been to Mr. Green's at all.

5476. You say that Hatch told you that he had spoken to the parties; you had not the money then, had you?—No.

5477. Did you go to Green's in consequence of what Hatch said to you?—Yes.

5478. Did you tell Green what Hatch had said?—Yes.

5479. Told him all about it?—Yes.

5480. And then you got the money?—Yes.

5481. Did you give Hatch the 6*l.*?—Yes, I gave him 5*l.* 10*s.*; he had the full amount, to a shilling.

5482. When did you make it all up?—On the morning of the election.

5483. The whole 6*l.*?—Yes.

5484. You have told the Committee that you gave Hatch 6*l.*?—He had to the full

full amount 6*l.*, but not all in money; he owed me a debt, and for that I stopped 10*s.*, and five sovereigns and a half I gave him.

5485. You gave to Hatch five sovereigns and a half?—Yes.

5486. Are you sure?—Yes, and he owed me 10*s.*, which I deducted, and paid him 5*l.* 10*s.*

5487. Then, if Hatch has said that you gave him no more than 4*l.*, he has said what is not true?—I will swear to that.

5488. You are sure you gave him 5*l.* 10*s.*?—I did.

5489. If Hatch has said that there was an agreement that you should give him 4*l.*, is that true?—I will state that he had more.

5490. If Hatch has said that there was an agreement between you and him that you should give him 4*l.*, is that true or untrue?—Untrue.

5491. If he has said that you made an agreement with him at your own house that you should give him 4*l.*, that is untrue, is it?—That is untrue; I never mentioned that in my house.

5492. Is it untrue that you ever made any agreement with him as to giving him money?—Yes; as to my part which he states in it I never made an agreement, further than saying that he would be paid for his trouble.

5493. Where were you staying when you paid this money to Hatch?—At the back of the hustings.

5494. How far is that from the Feathers?—I should think it might be from six to eight score yards, I cannot say exactly.

5495. Did you have any drink with him afterwards?—Several times.

5496. Had you any drink just before you paid the money?—No; if there was any thing he was at my house in the morning; I had something to drink with him at my own house, and I did drink with him at the Feathers in the forenoon after he had voted.

5497. Do you recollect how much he spent at your house on that day; did he change any tickets?—Yes, I believe he had two refreshment tickets there that I changed for him.

5498. Do you recollect what sized ticket it was, what was the amount of the ticket?—I cannot say now whether they were 2*s.* 6*d.* or 5*s.*

5499. Did you ever issue any 10*s.* tickets during the election?—No.

5500. Did you ever see any 10*s.* tickets during the election?—No.

5501. Do you believe any 10*s.* tickets were issued during the election?—I cannot believe it.

5502. When was the first time that you had any conversation with Hatch about money?—That I do not know, it might be a day or two before the election.

5503. Did you a week before the election offer him the sum of 4*l.* or did you not?—I will tell the truth upon the subject, I did not offer it no further than this, that I said to Mr. Green, "Hatch says he must be paid for his labour," and all that ever passed with Green and me, was this; I said to Mr Green, Hatch says he must be paid for his labour, and he received what I received of Mr. Green; I never made any promise to him till such time as I gave him that money.

5504. How long was this conversation before the election, which led you to make this observation to Green?—It might be a day or two,

5505. Have you seen Hatch since he was before the Committee?—I saw Mr. Hatch, I do not know what day it was since he was up in London.

5506. Did he tell you what he had said?—No.

5507. Have you seen any printed account of what he said?—No, I have not.

5508. When did you give your first account of this; when did you first mention it, were you examined at Yarmouth before you came up?—Yes I was before some gentlemen at Yarmouth.

5509 How long ago?—Last Saturday-week, the 24th or 25th; I do not know which till I look.

5510. Who were the gentlemen that examined you at Yarmouth?—I do not know who they were.

5511. Do you know where you went to be examined?—It is close to the house called the Mariner's, there were present a gentleman by the name of Hammels, and a gentleman of the name of Cobb, and I have nothing further to state that I am guilty of, but what I have stated.

5512. You and Hatch are neighbours?—We live very near each other; that is to say, within one hundred yards of each other.

5513. You have been long acquainted?—I have known the man many years;

 but

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but then our acquaintance sometimes is no further than he comes to the house and gets his pint of ale; that is all that has passed between me and Hatch.

5514. Had you an open house at the election?—It was not any further an open house than refreshment tickets might come to the house.

5515. You took the tickets, and gave refreshments?—Yes; I had not the least doubt of the honour of gentlemen.

5516. Who paid you?—I cannot think of his name; some gentleman came and paid it one morning.

5517. Was it a Yarmouth gentleman?—Yes, I think it was.

5518. Should you know him again?—Yes.

5519. Had you seen him before?—Yes; I think his name is Robins, but I do not know.

5520. Do you know a solicitor, Mr. Ranney?—I know the name, but I do not know Mr. Ranney.

5521. Do you know what trade or profession this person was that paid you the bill?—I believe he is clerk to some gentleman.

5522. What sort of gentleman?—I do not know.

5523. A lawyer's clerk?—To tell the truth, I do not know him; I never inquired into that.

5524. What was the amount of the bill?—I cannot say.

5525. About how much?—I do not know where it extended; I had several that my friends brought.

5526. Was it 20*l.*?—I know it was.

5527. How much more?—I cannot say.

5528. Do you think it was 30*l.*?—I am sure it was not; it might be from 21*l.* to 22*l.*, I cannot exactly say.

5529. Is that the whole sum that you received for tickets during the election?—I believe it was.

5530. Were you not paid more than once?—I do not recollect; I never kept a book; I think the bill might be more.

5531. Were you not paid upon more than one occasion during the election?—Yes, twice, by changing the tickets.

5532. Was each bill 20*l.* or 22*l.*?—No.

5533. Do you mean to say that the sum total was that?—I do not know what it was exactly; it might be upwards of 20*l.*

5534. Was one bill 20*l.*—Yes.

5535. What was the other?—I do not know; it was not a bill at all.

5536. What was the amount you received?—I do not know.

5537. Was it 5*l.*?—No, under 5*l.*

5538. Had you orders to give any drink without a ticket?—I do not recollect it.

5539. Did you ever draw without a ticket?—I do not recollect.

5540. Did you ever make out any bill for drink without a ticket?—No.

5541. Were you ever asked for drink without a ticket?—No.

5542. Or Mrs. Francis?—No.

5543. Did she keep the account?—We never made a bill, because, when a ticket was given, there was the account.

5544. Were the tickets in one account, and the drink without tickets in another?—I do not recollect ever taking an order without tickets.

5545. You think that there was never any drawn without tickets?—There might be; but I do not recollect.

5546. You had not orders to give drink without tickets?—No; I do not recollect.

5547. Are you a voter yourself?—No, I never have voted.

5548. Who told you to take in those tickets?—The same man that I knew brought me money.

5549. But how came you to expect that you would be paid for them?—Because I had not the least doubt that I should share the fate as others had done; that no honourable gentleman would ever deprive a poor man.

5550. When you were asked to come here, did you object to come?—No.

5551. Did they try to persuade you to come?—No; when the gentleman came and spoke to me, I said I was very sorry, but I must go, I suppose; he spoke to me in the brewery; I am foreman to a gentleman, a brewer, in the town; I have seen the gentleman here, I believe.

5552. Did

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5552. Did any of the neighbours know that you were coming?—No, not a single person.

5553. Nobody tried to persuade you not to come?—No.

5554. Before the election, had you seen much of Hatch, had he often been in your house?—Very often came in during the election.

5555. Were you in the habit of calling upon him before the election, being so near neighbours, and knowing him so well?—I did once call upon him, and only once; and I was never twice in his house in my life.

5556. Did you ever see Mr. Anson and Mr. Rumbold call upon him?—I believe that is the very day; I will not say that it was the party; likely that was the day that I called upon him.

5557. After Messrs. Anson and Rumbold had been there?—After, I believe.

5558. To whom are you foreman as brewer?—To one Mr. Clarke, brother to Mr. Clarke of Wyndham, the brewer; he has taken the brewery that was Mr. Costerton's.

5559. Is he a Red or a Blue?—I know not.

5560. You said you have never registered as a voter, do you pay above 10*l.* a year for your house?—I pay no rent.

5561. In what character could you register as a voter?—I have nothing to say that I can register as a voter, only as this, that I pay so much poor rates.

5562. Do you pay on your bar?—Yes.

5563. When you paid Hatch the money, what colour was the note?—I never had a note.

5564. What did you pay him in?—I paid him five sovereigns and a half sovereign, deducting ten shillings for the debt which was due to me for liquor, that I answered of a gentleman that was a spirit merchant.

5565. Did you tell Green that it would help you to get your own debt paid?—No.

5566. Did he know that he was in debt to you?—No, Mr. Green never knew that.

5567. You are not a freemen?—No.

5568. And are entitled to register as a 10*l.* householder?—I cannot say, but I pay my poor rates.

5569. Your profits are above 10*l.* a year?—I do not know what my profits are.

Thomas Green, called in; and Examined.

Thomas Green.

5570. WITH whom do you live?—With my father.

5571. What house does he keep?—The King's Head.

The Chairman informed the Witness that he was not bound to answer any questions that criminated himself.

5572. Do you recollect seeing Thompson the postman at any time?—I have frequently seen him.

5573. Had you any conversation with him at any time about some letters he brought to your father?—No, never.

5574. If he has said that you have spoken to him upon the subject, has he said that which is untrue?—Yes.

5575. He has?—Yes.

5576. How many brothers had you?—One.

5577. What is his name?—William.

5578. What is his age?—I cannot say.

5579. Is he older than yourself?—He is.

5580. What is your age?—Eighteen.

5581. Your name is Thomas?—Yes.

5582. What is William's age?—I cannot say whether it is twenty-three or twenty-four, I think it is twenty-three.

5583. Have you any other brothers?—No.

5584. Are you the second son of your father?—Yes.

5585. If Thompson has said that you told him at any time that he had the money before you, has he said that which is untrue?—Yes.

5586. Had you never any conversation with him about letters?—No.

5587. Never at any time?—No.

5588. Have you seen him since he was examined here?—No.

5589. And you are prepared to say that no such conversation passed?—Yes.

5590. Do

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5590. Do you remember any letter being sent at the time the voters' were paid?—No.

5591. Do you remember the time that the voters were paid?—I cannot say.

5592. About what time?—I think it was in the month of April.

5593. What were the arrangements made for paying them; where did the money come from?—I do not know.

5594. Who had it?—My father had it.

5595. Have you never heard him say how he got it?—Never.

5596. Never heard a word about it from him?—Never.

5597. Who were the parties that paid it?—I paid it.

5598. Tell the Committee what the arrangements were for the payment; where did you stand?—I hardly know where I did stand: I did not stand any where particularly.

5599. You say that you paid it, when did you begin?—About two o'clock in the afternoon.

5600. Of what day in the week?—I am sure I cannot say what day it was.

5601. Was it in the middle of the week?—Yes.

5602. Was it the Wednesday or Thursday?—I believe it was one of those two, but I cannot say which.

5603. Did you begin as soon as the money came?—I do not know.

5604. How many men were there when you first began?—There might be a score.

5605. How many days did it last?—Two.

5606. Did they come pretty thick?—No, not very.

5607. How did you manage to know whom you were to pay?—I knew the men.

5608. Suppose a Blue had come, suppose old Gardner had come, would you have given him?—He is not a freeman.

5609. Who did you pay; what was your rule for paying; would you pay a man that was not a freeman?—There was not any of those that came.

5610. If a Blue had come you would not have paid him?—I do not know.

5611. If a Blue had come who had not polled, would you have paid him two guineas?—I cannot say whether I should or not.

5612. How did you know then who you were to pay?—From being told.

5613. Who told you?—My father.

5614. Tell the Committee what he said?—He told me to pay such and such persons.

5615. What persons?—Those that I did pay.

5616. How did he know what persons they were that he told you to pay?—I do not know.

5617. Did you mention their names to him?—Yes.

5618. Where was he?—He was up stairs.

5619. Where were you?—I was down.

5620. Was there any body on the stairs between you and your father?—No.

5621. When a man came, how did you get the money to pay him?—I went for it.

5622. Who was with your father then?—Nobody.

5623. Not during any part of the two days?—No.

5624. When you went to him, did you carry the voter's name?—Yes.

5625. How did he know whether the man had polled Red or Blue?—I cannot say.

5626. Had he a poll book?—Yes.

5627. Did he look at that?—Yes.

5628. When you carried the name in he looked at the book and gave you the money?—Yes.

5629. How many do you think you paid altogether?—I do not know.

5630. How much money had you?—I have not heard.

5631. Have you not heard any sum mentioned?—No.

5632. Did any body call upon your father during that time; did either of the Mr. Lacons or Mr. Prestons call?—No, I did not see them.

5633. And nobody was with your father during the time that you went up to your father, in those two days?—No.

5634. What is the greatest amount you have paid to the postman for any one letter?—I never paid him.

5635. Did you never get any money from your mother to pay him?—No.

5636. Did

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5636. Did he come into the kitchen?—I never saw him.
5637. Did he vote Blue or Red?—He voted Blue.
5638. Did he ever complain to you that the Blues had not been paid?—No.
5639. Did he not say that they had not got their money?—No, I never heard him mention it.

William Green, was called in; and Examined.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

William Green.

5640. ARE you willing to state all you know?—No; I beg leave, as I have had a warrant served upon me for bribery, and several things, to decline answering.
5641. What warrant is that?—A printed notice.
5642. Have you got that?—No; I have mislaid it. A servant served it upon me.
5643. Is it one of these?—[*A Notice required by the Committee*]—Yes.

Mercurii, 5° die Augusti, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON, IN THE CHAIR.

Mr. *Pritt* stated that he did not intend to impeach the credibility of the Evidence which had been given on Friday.

William Green, called in; and further Examined.

William Green.
5 August 1835.

5644. ARE you a voter for Yarmouth?—I am.
5645. Did you poll at the last election, and in what character, did you poll as a freeman?—Yes; as I declare myself a defendant to your Honourable Committee, I do not wish to give any answer at all; it is well known that I am a voter for the town of Yarmouth, and have been these twenty-five years.
5646. What do you mean by declaring yourself a defendant?—By receiving a paper like unto that which was shown me yesterday.
5647. Have you been told by any body to say this?—No, I have not.
5648. Have you not at any time said that the Committee could do nothing with you if you held your own ?—No, to no one.

The committee-room was cleared.

After some time the agents were called in, and informed that it was the desire of the Committee, if Mr. Ashurst pressed the question, "Are you willing to speak the whole truth?" that he should put it in these terms, "Are you willing to speak the whole truth as far as you are by law bound to answer."

William Green, again called in.

Chairman.—I am instructed to inform you that the Committee consider that you are bound to answer all questions which have not a tendency to criminate yourself; and when you consider that a question may directly or indirectly criminate yourself, you may apply to the Committee to know whether you are bound to answer that question, and the Committee will judge; but the Committee will not recognise persons in the character of defendants.

5649. Are you willing to answer the whole truth as far as by law you are bound to do so?—Gentlemen, I shall decline answering you in any thing at all.

Chairman.—You understand the view that the Committee take of this proceeding. As I understand it is your wish to place yourself here in the situation of defendant, and to decline being called here as a witness altogether,

William Green.

5 August 1835.

gether, the Committee are of opinion that you are not justified in taking that course; they are of opinion that you are bound to appear here as a witness, upon a summons, and that you are bound to answer such questions as may not criminate yourself. You are competent to take objection to any question that may be asked you tending to criminate yourself, and it will be for the Committee then to judge whether they consider themselves entitled to press that question.

I cannot tell what will criminate myself; you have had my son, you have had my servant, whose character does not stand very high in Yarmouth, and I cannot tell what he has said, and upon those grounds I do not wish to answer any thing.

Chairman.—I think it my duty to acquaint you, as I have done in a similar case, with what may be the consequences to yourself of your proceeding. I do not mean to threaten you, or advise you as to the course you will adopt. If the Committee continue to think you are not justified in taking that course, they will be obliged to report your conduct to the House, and the House of Commons will then take such course as they think proper with reference to your proceeding; what that course will be it is not for me to say; you may learn from your advisers what the probabilities are of the consequences to yourself; it will be for you to take it into your consideration.

5650. After the caution which has been given to you by the Chairman, do you adhere to that answer which has been given?—I do.

5651. Do you refuse to answer any question that may be put to you?—I do.

5652. Have you reflected sufficiently upon the results of that course, and do you mean to adhere to it?—Yes, at present.

5653. For how long?—I cannot tell.

5654. Do you absolutely and positively refuse to answer any question that is put to you; consider it fully before you answer it?—I do.

5655. Are you quite sure that you understand the noble Chairman in the information that he has given you?—Yes, in some measure; I was never in a court of this kind before.

5656. Do you understand what the Chairman has told you, that this Committee are distinctly of opinion that you are bound to answer every question that may be put to you, which does not directly or indirectly tend to criminate yourself?—I cannot tell what will criminate myself.

5657. Then you mean to tell the Committee that you are not sufficiently a judge of what the result of an answer to a question will be, as to whether it will or will not criminate yourself?—I do.

5658. You said just now that you did not know what question would be put to you; that somebody had been called here of indifferent character, and that you did not know what he had stated?—No.

5659. Do you understand that permission is given to you, if a question is put to you the answer to which may criminate yourself, to apply to this Committee to protect you, who will decide for you whether the question does or does not criminate you, and by their decision, if they think it will criminate you, they will say that you are not bound to answer; but if, taking all the circumstances into their consideration, they are of opinion that it will not criminate you; do you mean to say that in that case you are prepared not to answer?—I do.

5660. You understand the question?—Yes.

5661. You were asked whether you are a voter at Yarmouth, and whether you voted, and the answer to that question cannot criminate yourself?—I did vote.

5662. But if you are asked, did you pay money, the answer to that question may criminate yourself; but the answer to the question whether you voted or not cannot criminate yourself, because that cannot be a crime?—I have already answered that question.

5663. There are many other questions which you might answer; if you saw such a person at Yarmouth at the time of the election, there could be no crime in seeing a person at Yarmouth?—I can hardly recollect; my recollection is gone by for six or seven months since the election.

5664. Do you mean, when you say you do not know whether a question would criminate

criminate yourself, that you do not know the legal effect of that question, or do you mean to say that you do not know whether that question may be one in a link of a chain by which to criminate you?—Yes, that appears so to me; it will be a link in the chain. *William Green.* 5 August 1835.

5665. If you were asked this question, did Mr. Baring and Mr. Praed call upon you to canvass your vote at the last election, should you think by answering that question in the affirmative you criminate yourself?—No, not in that case.

5666. Do you wish to retire to consider this question with a friend of your own?—I do.

Chairman.]—At present the Committee can take no other course than to report your conduct to the House. If you object to answer a question, and the Committee should overrule that objection, they will have to take the same course; but if they consider that your objection has validity in it, they will support you and hold you harmless; but at present they can do nothing else but report your conduct to the House immediately.

5667. Is that one of the notices you referred to?—Yes, it is.

5668. That is what you meant when you said you had a warrant?—Yes.

[*The same was delivered in, and read as follows:*]

"I give you notice, that the Evidence intended to be produced before the Select Committee of the House of Commons, to whom the Petitions from the Borough of Great Yarmouth presented in the month of June last, stand referred, may affect you with an imputation of bribery, or with being a party aiding or assisting in the commission of bribery, or of treating, or of some or one of the offences mentioned in the Petitions. Dated this 24th day of July 1835. To Mr. Matthias Harding. To H. Ashurst, Agent for the Petitioners."

[*The Witness withdrew to take advice.*]

The committee room was cleared; after some time the parties were again called in.

Mr. *Green* recalled; and Examined by the Committee.

5669. Have you taken the opportunity the Committee have afforded you of considering the subject, of whether you decline to answer the question or not?—I have taken the legal advice of the attornies; I do not know who the gentlemen are, and I beg leave to decline answering any questions.

5670. Peremptorily?—Yes.

5671. Any questions at all?—That is the advice the attornies give me.

Mr. *John Edward Lacon*, called in; and Examined.

5672. YOU are a banker at Yarmouth?—Without any disrespect to the Committee I beg distinctly to state, that I shall take the ground of being a defendant; I feel satisfied that the laws of my country will bear me out at the same time in saying, that it is not from any disrespect to the Committee, I merely mean to take that ground. I will not throw in another, but I have been in the room all the while, but as it was through the courtesy of the Committee, I will not avail myself of that. Mr. *J. E. Lacon.*

5673. Were you in the room when the Committee explained to the last witness their views of his duty?—I will tell the Commitee I have, but I decline any examination from the agent, for fear it should be put that I am a witness; I am afraid of answering his question lest I may be considered in the character of a witness.

5674. Do you draw any distinction between the position you have placed yourself in and that of the last witness, of which you are already cognizant?—I am told I have done so and so; I say it is the duty of those who say so to prove it, and not to ask me to be a witness against myself.

5675. Do you draw any distinction between your case and that of the last witness?—I think I do draw a distinction.

5676. Have you had notice that certain charges will be preferred against you?—Yes, I have.

5677. Have you got a copy of it?—I have.

 5678. Have

Mr. *J. E. Lacon.*

5 August 1835.

5678. Have you had a similar notice to that which was put in by the last witness, Green?—That I cannot say.

[*A paper is read.*]

5679. Is that the substance of the notice?—Yes; I know that if I were tried in a court of law I could not be called to answer any question; I stand on that.

5680. Do you refuse to answer all questions?—All questions, decidedly.

5681. Not merely those which you conceive will criminate yourself, but all questions?—Yes, every one.

5682. You have nothing to add?

The room was cleared.

After some time the Witness and the parties were called in. The Chairman informed the Witness that he was directed by the Committee to tell him that he was bound to answer all questions which have not a tendency to criminate himself; and when he considered any question might tend directly or indirectly to criminate him, he might apply to the Committee to know whether he was bound to answer it.

5683. Do you, after the intimation from the Chairman which has been just given to you, decline answering the question that has been put?—I decline to become a witness.

The room was again cleared, when the Committee came to the following Resolution:—

That the Chairman be instructed to report to the House that two parties, Green and John Edward Lacon, have declined to appear as witnesses before this Committee, on the ground that having received certain notices they considered themselves as defendants in the case.

Jovis, 6° die Augusti, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON,

IN THE CHAIR.

6 August 1835.

Mr. *Pritt* stated that Sir Edmund Lacon was willing to produce his bank books, but that the order was at present so extensive, that he would be obliged to clear his bank, which would occasion great inconvenience to himself and to those whose money was entrusted to him, but that if Mr. Ashurst would specify the books that he required, those books should be readily produced; and, after some discussion it was arranged for Mr. Youell to produce the cash-book from November to this time, and to give extracts of the ledger to the corresponding entries of the cash-book in respect of any particular account, and to produce all letters, papers and documents, other than the banking-books, which may relate to the last election, and to allow inspection of the index of the ledgers.

Mr. *Pritt* stated that he did not intend to impeach the credibility of any of the witnesses who had been examined on Saturday.

Mr. *Ashurst* stated that in the course he should think it right to pursue after the intimation from the Committee, he was afraid that the witnesses called would be similarly circumstanced with the last two witnesses who had refused to answer.

The committee-room was cleared.

After some time the parties were called and informed, that the Committee had resolved that the agent of the petitioners be directed to proceed with the case in that manner which he deems most expedient.

Chairman (to Mr. *Lacon.*)—The Committee wish to repeat the question which I asked yesterday, as a necessary matter of proceeding on the part of the Committee, whether you continue in the same resolution or not?—Yes, I still hold the same opinion that I did yesterday.

James Woodhouse, called in; and Examined.

James Woodhouse.

6 August 1835.

5684. WHAT are you?—A painter.

5685. Are you a voter for the borough of Great Yarmouth?—I am.

The Chairman informed the Witness that he was not bound to answer any question which might criminate himself; that he might take objection to any such question, and the Committee would decide whether it was an objectionable question.

5686. Did you vote as a freeman?—I did.

5687. Red or Blue?—Red.

5688. Did you canvass during the election for either of the parties?—I did not canvass in particular with a party.

5689. Will you state with whom you did canvass?—I canvassed and made interest with a person of the name of Harbord; I called upon him in the morning, I think it was about seven o'clock, he was not down when I called, he came down at the time; I waited for him; I asked if he would vote for Praed and Baring, and he paused a little, and he did not know, but in the time of waiting for the answer in came Mr. Anson and Mr. Rumbold's friends; and I fancy, but I am not sure exactly, that they asked me what I wanted there; and my answer was, "the same thing as I believe you do;" I left them then, and something in an hour, it might be more or less, I am not able to say exactly, being at that end of the town I went up the row again, and several of Mr. Anson's friends were along with Harbord, and they laughed at me, thinking I was going after him a second time alone, being so many of them, and I told him if he wanted to vote for Praed and Baring, to come up to my house, he knew where to find me, and I would go up with him to poll, and I saw no more of him.

5690. Is that all?—No, it might be ten or eleven, the time I am not able to say exactly, he came up to my house with two young men, and they came in at my own door, and I left the two in one room, and he followed me through the passage into another room, and I asked him what his intention was, whether he was going to vote for Praed and Baring, some such words as those; and he hem'd and ha'd, and he did not know what answer exactly to make; he said he wanted 6*l.* or 7*l.*, I am not able exactly to say the sum of money; and I said "very well, I do not know any thing about that, I shall do the best I can for you;" and I came out of the room; I never saw any thing more of him till we went up and polled, and what passed, nothing more than I recollect.

5691. Is that all you know about him?—Yes.

5692. Are you willing to state all that you do know?—I have stated all that I do know.

5693. Are you willing to tell the whole truth so far as by law you are bound?—Yes.

5694. Do not understand the Committee as imputing to you, in what you have said, that you have not stated the truth, for it is consistent with what has been stated before; you are not asked what you did with any money; that is, to whom you paid it; the Committee simply want to know from whom you received any money; if you did receive it, did you receive any money from any person connected with that election?—I did not.

5695. At no time, do you mean to state to this Committee, have you received any money connected with that election, for any purpose; do you believe that Harbord, who went to your house, got any money from any person?—I never saw during the election, any money pass to any freeman, for any purpose, as leading to the election, not to the use of the election.

5696. You say that Harbord went with you into the room, that he there said what he wanted, and that you went out of the room?—I went out of the room, and he followed me out and went up to poll.

5697. You said you could not say any thing till when?—I never said any thing more to him but that we would do what we could for him, and went out of the front room.

5698. Did you say any thing to him that you could not answer his question till you had seen somebody, or been out of the room?—No, I did not.

5699. Why could you not answer the question?—I did not answer it only in the way; I said "we shall do the best we can for you."

5700. Whom did you mean by "we?"—I did not mean any thing particularly.

 5701. Whom

James Woodhouse.

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5701. Whom did you mean by the term "we?"—I meant the party would do the best they could, I do not know that I had any particular meaning.

5702. What party?— Our own party.

5703. Did you go out of the room for any purpose connected with the subject upon which Harbord and you were speaking?—No, I did not.

5704. Did you not go somewhere to speak to somebody about what you could do for Harbord?—No, I did not.

5705. Did you not say to Harbord speak to my little girl?—No, I did not.

5706. That upon your credit you state distinctly?—Yes.

5707. Do not you know that some one of your family have received money in this election to pay to Harbord?—No, I did not.

5708. Do not you believe it?—No.

5709. Did no little girl of yours give drink or money to Harbord?—Unknown to me.

5710. Did not you say go to my little girl, and she will give you drink?—No.

5711. Not to that effect?—No.

5712. Have you never since the election received any money on account of it?—I have not.

5713. Nor given any account to any body relating to it?—No.

5714. In no way have you been connected with the election?—Nothing, only relating to bills for the work that was done.

5715. Have you got those bills here?—No.

5716. What were they?—Mending the windows that were broken.

5717. Have you entered in the book all the money you received for broken windows, or any other subject?—Yes.

5718. Every thing you have received, as connected with that election, from any person, is entered in your books?—It is.

5719. And in no way, except in consequence of those bills, have you received any money in any form connected with the election?—No.

5720. And, to your knowledge and belief, none of your family?—No.

5721. Who paid your bill connected with the windows?—I believe I am not able to say.

5722. Who do you believe paid it?—I am not able to tell that now.

5723. Who do you believe paid it?—If I believed any one I think I should be able to say.

5724. Who do you think it is likely would pay you?—I am not able to say; if I could tell I certainly would.

5725. Do not you remember whom you debited for those broken windows in your books?—I am not able to say distinctly.

5726. Tell indistinctly?—I am not able to say who gave the orders for mending the windows, nor yet by whom the bill was paid.

5727. Nor whom you charged in your books?—I could say if I had my books, but I cannot now.

5728. Is that all you received upon that subject, and the names of the parties are entered in your books?—It is.

5729. And you do not know who they are?—I do not; but if I be able to say before I leave the room I will say.

5730. You are a master painter?—Yes.

5731. Harbord is a painter?—Yes.

5732. Had he ever worked for you?—No.

5733. Neither before nor since?—No.

5734. You say you canvassed him?—Merely called upon him that morning.

5735. Were you active in the election?—No.

5736. Did you canvass many?—No; I dare say I should not have canvassed him, only, being a painter, and a painter told me that he was unpromised, that caused me to see for him.

5737. When he told you that he had made up his mind, you left him when Mr. Anson and Rumbold's party came?—Yes.

5738. And afterwards you went again and canvassed?—I came up the row, not to canvass him, it was in my way home.

5739. Did you step into his house?—No, nor yet stop; I saw him standing at the door with the other people.

5740. Did you go to him?—No; I passed them when they were laughing at me;

me; I said if he had a mind to vote for our party, he knew where to find me, or something to that purpose.

5741. Not being able to speak to him because of the presence of this other party, you told him to come to you?—I told him if he wanted to vote for our party, he knew where to find me.

5742. And he did come?—Yes.

5743. Did you take him into another room?—He followed me.

5744. Were the two persons with him strangers to you?—They might have followed me if they pleased.

5745. Were they strangers?—No, not strangers.

5746. Were they voters?—I think one of them was, but that is unknown to me.

5747. What is his name?—Fisk, I think.

5748. Do you know his christian name?—No, I do not.

5749. Was it David Fisk?—I do not know.

5750. And you then left the room and went into another room?—Yes, he followed me into another room.

5751. And then he said he must have 6 *l.* or 7 *l.* for his vote?—Yes.

5752. And you told him that you would do what you could?—I told him we should do the best we could.

5753. Did you attempt to do the best you could?—Nothing at all, for I never saw him since till within the last fortnight.

5754. Did you see Green?—I did not.

5755. Did you see any other of your party?—No.

5756. Do you mean to say upon your credit that you did attempt to do the best you could for him?—No.

5757. Did you ever mention to any of your party, have you never said that he had 6 *l.* or 7 *l.* from you?—I have not.

5758. Will you undertake to say that?—I will.

5759. Did you go to your committee-room that day?—I think it is likely.

5760. Will you say whether you did or not?—I certainly should say I did.

5761. Did you see Green on that day after that?—I did not.

5762. And you mean to say you never stated to any person of your party that this man had asked you for 6 *l.* or 7 *l.* for his vote?—I never did.

5763. Not to any body?—Not to any soul.

5764. Was this the first day of the poll?—No, I think it was the second.

5765. And you never mentioned that circumstance?—No.

5766. You were a good deal interested in the success of your party?—No, I do not consider that I was.

5767. Not in the least?—No.

5768. Still you were enough interested to look after this painter?—No more interested than that; the same as another person might do.

5769. Did you not consider this a remarkable circumstance that a person had offered you to vote for 6 *l.* or 7 *l.*, did you consider it so immaterial a circumstance that you never mentioned it?—I never did mention it.

5770. And after you had said you would do the best you could for him, did you not endeavour to do any thing for him?—I did not.

5771. What did you mean when you said you would do the best you could?—I had no more meaning than just saying the word.

5772. Did you mean when you told him that you would do the best you could for him, that you would do nothing at all for him?—I am not able to say any thing about that; I had no meaning about it.

5773. Do you mean to say, when you said that you did not intend to mention it to any body?—Certainly not.

5774. Was that doing the best you could, do you mean the Committee to understand that was doing the best you could for him?—I never did any thing for him.

5775. Do you mean to state to the Committee that you never mentioned the offer he had made to any person?—No, neither before nor yet since, and I never saw him till this last fortnight, and then I asked him if he was in work, and his answer was "No," and I said, "I think I shall be able to put you in work next week;" that is all I have said to the man since or before.

5776. Did you intend by saying that to him, that if an occasion should turn up, you would do him a good turn?—Yes; as I offered him a good turn, if he had nothing

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nothing to do, and I had work for him, I should consider I did him a good turn then.

5777. Were you upon the committee?—No.

5778. Was there a committee?—I never saw any thing like a committee.

5779. You never went to the committee room?—No.

5780. Do you know where it was?—If they call them committee rooms.

5781. After this you went up with him to poll?—Yes.

5782. Did you see him vote?—I am not able to say that.

5783. Did you hear him vote?—Yes, I did.

5784. You were interested enough about the election to go up with him to poll—Yes, with him and many more.

5785. Were you appointed to go up?—No, it was at my own pleasure.

5786. But you did go up with many to see them poll?—Yes, I did.

5787. Do you believe that he did get any thing for his vote or not?—I do not believe he did; if he did I have no knowledge of it.

5788. Did many voters call at your house during the election?—No, I do not remember any more than him.

5789. This is the only man you asked for a vote during the election?—I do not know that I did not ask other men, but I had no knowledge of their voting.

5790. Who told you that Harbord's vote was not promised?—A man of the name of Fisk.

5791. Did he say that he thought he could be got over any way?—He told me that he was inclined to vote for Praed and Baring, and the friend that was along with me; we could not see him in the evening, but I saw him alone in the morning.

5792. When this man came with two young men into your room, why could not you ask him in that room what he wanted?—It was his own pleasure his following me.

5793. Why did you go into another room?—Because my hat was there to go with.

5794. Do you mean to state that it was not because you wished to have Harbord along with you?—No, I made no secret of it; the young men were willing to follow if they liked.

5795. Why did you not canvass him for his vote in the room where those two young men were?—If they had stopped I should have got my hat and come back to the same room.

5796. Did you tell him to have something to drink from one of your daughters?—No.

5797. You say that you went with many others to poll to see them vote?—Not singly with people, only up with the crowd and the ranks of people going up walking about the market.

5798. Did you go to the houses to pick them up?—No, I did not.

5799. Did you see that they had polled?—I possibly may have seen that.

5800. You went with them to see them polled?—I did not particularly, no more than other persons in the crowd might do.

5801. How far is your house from the booth?—I should say 200 or 300 yards.

5802. Do you know Fisk the painter?—I know him only by his living close in the neighbourhood.

5803. Do you know any thing against his character?—I know nothing about him at all.

5804. Do you know any thing of Harbord?—No; he is a young man I never saw till I saw him twice that morning.

5805. Before the polling did you not offer him any thing to drink when he called upon you?—I did not.

5806. Did you leave one of your daughters to serve, you being engaged?—I do not know that I did such things; I believe that I heard that Kent, the young man that was with him, had a pot of beer, but whether he had it upon my name, or paid for it, I cannot say, that I must leave.

5807. Had he it from your cellar as a freeman?—No, he is not a freeman.

5808. Did Kent come up to your house?—Yes.

5809. Did he get beer?—I think he did.

5810. At your house?—No, not at my house, because we had no beer.

5811. Did you at this time give any money to your daughter, had you given 6*l.* to your daughter?—I object to answer that question.

5812. Are you of opinion that that answer may tend to criminate you, how do you imagine that it will criminate you by giving 6*l.* to your daughter?

The committee room was cleared.

After some time the parties were called in.

James Woodhouse, again called in; and Examined.

5813. Do you object to answer the question on the ground that it will tend to criminate yourself?—Yes.

The Chairman stated that the Committee were of opinion that that question ought not to be asked.

5814. Harbord and Kent you said came to you?—Yes; Harbord and Kent and Fisk.

5815. Did you tell them to go with your daughter into the cellar?—No, I did not.

5816. Did they ask you for any beer?—They never asked me.

5817. Did they ask your daughter in your presence?—No.

5818. Nor your wife?—No.

5819. But you say that Kent might have had some beer?—Harbord had none.

5820. Had Kent?—I only think that they might have had some for the reason that they might have got it very easily by opening my door and yet not have any thing to do with me, it is a tap-house adjoining my house, and they might get a pot of beer or a pint of beer and bring it into my house and drink it.

5821. Then it was not in your cellar that he got the beer,bu t in a tap room adjoining?—Yes.

5822. Did they say they were going to get some beer?—Not to me.

5823. Did your daughter go with them?—No, I am sure she did not.

5824. Do you send for beer there?—Yes, we buy beer there.

5825. Does your daughter go there occasionally?—Sometimes, it is no more than opening a door and going into the room.

5826. Have you ever voted at former elections previously to the year 1832, in Yarmouth?—I have voted at the election ever since Lacon and Loftey.

5827. Have you always voted Red?—Yes.

5828. Have you heard whether since the last election any money has been given to any of the Blue voters?—I think I have.

5829. Can you name any one whose name you have heard mentioned?—I am not able to do so now, I have no objection if I knew to mention it, I think I could if I was at home find out names that had received the money.

5830. Since the last election?—I cannot say that now.

5831. Was any vote money given after the election in 1832, by either party?—I do not know.

5832. You never heard of any?—No, I never received any, I think it is a general thing, all freemen expect that.

5833. Do you know whether there was any disappointment in not getting what they expected after the election in 1832?—I am not able to say.

5834. Did you ever get the vote money after the election after the Reform Bill?—No.

5835. But you have no doubt that it was paid by both parties?—I never heard that it was not; I believe that any party in the town will never say that they saw me with one party or the other.

5836. Have you any doubt that it was the practice of both parties to pay this money after the election?—Certainly not, and I always considered that they had a right to it, though they never received it.

5837. Do you think the last election was distinguished by more or less drunkenness than the former elections?—I should think not.

5838. In the old elections there was more drunkenness than there was in the last?—There was, I think.

5839. Was there any rioting or confusion in the last election?—I did not see any.

5840. Were there any windows broken?—Yes; otherwise I should not have had the job of mending them; there was no riotous fighting or breaking of heads,

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or any thing like that, we cannot say who broke the windows, it was likely to be boys more than men.

5841. Do not the glazier's boys sometimes break the windows?—I have not known that.

5842. Do you mean to say that you never heard of any rioting or tumultuous assemblage?—Never at the time I attended the thing.

5843. How many windows were there broken?—I am not able to say.

5844. Were there fifty squares?—I am not able to say.

5845. Did you mend fifty?—No, I did not.

5846. Thirty?—I am not able to state.

5847. Whose house was it in?—I believe the house belonged to a glazier.

5848. Who was the glazier?—Mr. Burton; I mended several windows of Mr. Williams.

5849. Are they Blues or Reds?—Reds.

5850. Do you recollect any windows being broken on any previous election in Yarmouth?—Yes.

5851. Was it an ordinary occurrence?—Yes, I should think it was, we generally expect it.

5852. Do you know of any broken heads as well as broken windows?—No.

5853. You did not look for them?—We have what we do not look for sometimes.

5854. Have not those Tom and Jerry shops increased, "To be drunk on the premises?"—Yes; it is my business to write that on.

5855. Are there not more than there used to be of those houses?—Yes, I dare say that there is.

5856. And did you observe whether there was more company than there has been?—No, I cannot say that I did.

5857. Did you not observe that there was a great deal more drunkenness and tumult in those houses during the period of the last election, than there was before the election or the canvassing for the election commenced?—I think not; not so much.

5858. Did you mend windows at more than one house?—Yes.

5859. You mended those at Mr. Burton's, the glaziers?—Many windows in two or three different houses.

5860. Do you remember who those houses belong to?—Yes.

5861. Can you state the names?—Yes; I mended some windows at Mr. Fyson's.

5862. Is he a Blue or a Red?—A Red.

5863. Anybody else?—Mr. Williams, he is a Red.

5864. Did you mend any windows at any house belonging to any Blue gentlemen?—I did.

5865. Who was that?—Mr. Alexander.

5866. Are you in the habit of working for gentlemen of both parties?—Yes.

5867. Which do you think you mended the most for, Blue or Red?—I am not able to say that.

5868. Who paid your bill for Alexander's windows?—Mr. Alexander himself.

5869. Did you get your two guineas?—No.

5870. Did you hear of any vote-money being paid?—No, I did not.

5871. Do you know Green the publican?—I should be wrong if I said that I did not know him, but that is all I did do.

5872. Do you mean to state to the Committee you have never heard that the vote-money was in course of payment from Green's, and that the freemen were to go there?—I never heard any thing about it.

5873. You recollect the caution of the Chairman about speaking the truth?—I am speaking the truth.

5874. You are an old voter of Yarmouth?—That is the time that I voted from Lacon and Loftey.

5875. Before the Reform Bill you were a freeman, and it was a common occurence that you received the vote-money?—I never received any.

5876. But you know that it was commonly paid?—Yes.

5877. You thought you had a right to it?—I did consider I had a right to it, but never received it.

5878. Was any paid after the election for 1832?—I cannot say, I never received it.

5879. Did you ever hear any talk after that election that the vote-money was paid?—I do not know that I ever heard a word about the election.

5880. After

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5880. After the last election in 1835, you have never heard any thing about the vote-money being paid?—I heard it talked of in the street, that it was to be paid.

5881. When was that?—I am not able to say, but I never heard when, nor yet where.

5882. You heard that the freemen had recovered their birthright?—No, I do not know that I heard any thing particular about that.

5883. And yet you never heard that the freemen were to be paid or had been paid at Green's?—No.

5884. You were asked whether you remembered the caution how you were to speak; you were produced as a witness by the agent of the petitioners, were you not, by Mr. Ashurst?—Yes.

5885. You had a summons from the Chairman of this Committee?—Yes.

5886. Have you ever been examined at Yarmouth by the Blues?—By neither party.

5887. What is the rent of the house in which you live?—It is my own house.

5888. What is the value of it?—I do not know what the value of it is now.

5889. Could you be registered as a 10*l.* householder if you chose?—Yes.

5890. Do you know who owns the public-house adjoining your house?—I am not able to say, but I should think that it belongs to the man that lives in it.

5891. What is his name?—Runnett.

5892. Is he a voter?—I am not able to say that.

5893. You do not know whether he voted or not?—No.

George Townshend, called in; and Examined.

George Townshend.

5894. YOU are the landlord of the Weavers Arms at Yarmouth, are you not?—Yes.

5895. Are you a voter for Yarmouth?—Yes.

The Chairman informed the Witness that he was not bound to answer any question which might criminate himself, but might take objection to any such question, and the Committee would decide it, but that he was bound speak the truth.

5896. Are you a freeman?—A 10*l.* householder.

5897. Was your's an open house at the last election?—Yes, for the Reds.

5898. Who was captain of your house?—John Smiter.

5899. Did you see him with a book at any time?—Yes.

5900. Did you know what it contained?—Staffsmen and colourmen.

5901. The names of stavesmen and colourmen?—Yes, I had no freemen at my house only Mr. Smiter.

5902. Was Mr. Smiter a freeman?—Yes.

5903. He lived at your house at that time?—Yes.

5904. Did he lodge there?—No.

5905. You mean by that that he ate and drank at your house?—Yes.

5906. How long was your house open for the Reds?—Four days.

5907. Which was the first day?—The day before the election they had a shilling a-piece to spend.

5908. Then the other days were the polling days?—Yes.

5909. And on the day after?—The day after the election, when the Members went round.

5910. What was the amount of your bill for that four days?—I think 67*l.* as near as I can guess.

5911. Who paid you that bill?—Mr. Barber.

5912. Is he clerk to Mr. Ranney the attorney?—Yes, he is.

5913. Do you know what has become of that book of Smiter's?—That is destroyed, I believe.

5914. What makes you think it is destroyed?—I am sure of it; I have no learning myself, and I thought it was of no use; I never saw it afterwards.

5915. Had you any difficulty with Green about your two guineas?—No.

5916. You got it?—Yes.

5917. Who opened your house?—I think Mr. Smiter gave me the order.

5918. Have you never stated, that another gentleman came and opened your house?—Yes, I think Mr. John Lacon came.

5919. Have you any doubt about it?—No, he came and asked me if I would stow so many men for the use of staves.

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5920. Which Mr. John Lacon?—A son of Mr. Mortlock Lacon.

5921. He came to you and engaged you to open your house?—Yes.

5922. What did he say?—He asked me if I could stow so many men, and I said I could.

5923. Did you give Barber a receipt?—No.

5924. No memorandum?—No, I signed a note, I made a mark upon a note.

5925. You made a mark upon something that he wrote?—Upon a stamp I think.

5926. Is it that Mr. Lacon in the room that came to your house?—No.

5927. You say, that your house was open for colourmen and stavesmen, had you any instructions to entertain any freemen there?—No.

5928. Were you prohibited from taking any freemen into your house?—Yes; I could not take them.

5929. Could you take any voters?—I could not take them; I could not stow them.

5930. You mean to say to the Committee, that you could not take them because you had not room for them?—I had not.

5931. But you had no understanding that you should not take freemen if they offered?—I could not stow them.

5932. Then all you mean to say is, that you had no more room for them?—I had not.

5933. You had an agreement made with you as to the precise number of parties who were to be stowed in your house?—Yes.

5934. You were not at liberty to take any other parties at that time?—No, I could not.

5935. Had you any orders to take in any freemen, or 10*l.* householders?—No, I had not.

5936. Do you know how many stavesmen and colourmen there were?—Sixty-two with Mr. Smiter.

5937. Which Mr. Smiter?—John Smiter.

5938. Smiter was a voter?—Yes, that was the only one I had.

5939. Did they produce any tickets to prove, that they were either stavesmen or colourmen?—No, I got no tickets.

5940. You got no tickets during the election?—No.

3941. You referred it to the captain?—Yes.

5942. How did you ascertain the quantity of drink they were to have?—They had a shilling each day, eighteen pence for breakfast, and a shilling for drink, and the same at night for supper.

5943. What had they for dinner?—Nothing.

5944. They had eighteen pence to eat in the morning, and a shilling to drink, had they eighteen pence to eat in the evening, and a shilling to drink too?—Yes, the first day was only a shilling.

5945. How did you make out, that 62 men had 67*l.* worth of drink?—Victuals and drink, eighteen pence was not too much at that time; if you see them eat you would not say it was too much.

Mr. *Robert David Barber,* called in; and Examined.

Mr. *R. D. Barber.*

5946. WHAT are you?—An accountant.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

5947. Are you clerk to Mr. Ranney?—I am, that forms part of my employment

5948. He is a solicitor in Yarmouth?—Yes.

5949. Did you, at any time, pay any bills connected with the last Yarmouth election?—I did.

5950. Did you act as Mr. Ranney's clerk in so doing?—Certainly not; Mr. Ranney had no knowledge of what I was doing beyond what might accidentally fall to his knowledge.

5951. No entries of any sort were made by you of the transactions in which you were engaged in his books?—Certainly not; not a scrap of any thing.

5952. Mr. Ranney, as a principal, had nothing whatever to do with what you did?—Certainly not.

5953. Who

5953. Who was your employer for the election?—Certain gentlemen formed themselves together, and I felt myself employed by the whole of those who formed themselves together.

5954. Who were those gentlemen?—I really cannot name them, but I should put Mr. John Lacon at the head of them.

5955. Who else?—I really cannot name any other gentleman as very particularly interfering.

5956. Whom did you mean, when you said "certain gentlemen formed themselves together?"—Many gentlemen who did make it their business to be at the rooms.

5957. And you were employed by those gentlemen; how long have you lived in Yarmouth?—All my life time.

5958. And nearly all the gentlemen of Yarmouth are known to you by name?—They are.

5959. How long were you employed by those gentlemen?—I am not prepared to give a positive answer.

5960. As near as you can?—As near as I can guess, perhaps from nine to twelve weeks. I cannot go into the particulars of it.

5961. Before the election?—Of course.

5962. In what were you employed?—I felt myself employed for the purpose of going round to those places where debts had been contracted consequent upon the election, and gathering in the bills.

5963. Is that the employment for which you were engaged for twelve weeks during the election?—I said from nine to twelve; I will not say that it was not twelve or nine or more than nine.

5964. Is that the employment for which you were engaged before the election?—Yes.

5965. Do you mean to say that all those twelve weeks were engaged before the election?—No, not before the election.

5966. Were you employed both before and after the election?—I was.

5967. Do you speak of your employment being from nine to twelve weeks in the whole?—Yes from nine to twelve weeks in the whole; from the commencement of my having any transaction in it till I quitted it.

5968. How long after the election were you employed?—There was a delay of sometime wherein nothing was done; perhaps for instance the bills were not paid till some considerable time had elapsed; now, am I to consider myself employed during the time that I was doing nothing, which was a mere delay, or not.

5969. Did you not understand the question originally when it was put to you, and did you not mean that you had been engaged from nine to twelve weeks before the election?—No, not before the election, certainly not; I meant that I was employed from nine to twelve weeks on the business of collecting and paying bills consequent upon this and other elections.

5970. You mean from the commencement of the canvass till every thing in reference to the election was wound up?—Yes.

5971. When were you first employed?—I have not the means of telling that.

5972. What were you employed in doing besides that you have mentioned?—No other purposes whatever.

5973. Never had a pen in your hand to record any thing, or to write for those gentlemen; did you not do any writing in relation to the business of the election?—None, except my own acount of the monies received and disbursed.

5974. Where is that account?—That account was delivered by me to Mr. John Lacon, at the time that I considered I had done with it.

5975. When was that?—That I cannot tell.

5976. How long after the election?—In what I say I may err; from a fortnight or three weeks to a month.

5977. Is that the Mr. John Lacon of whom you were speaking now in the room?—Yes.

5978. You were in conversation with him when Mr. Ashurst came down?—Mr. John Lacon had a conversation with me about a purchase with Mr. Ranney; that I am prepared to state.

5979. Where are those accounts and where did you deliver them?—I delivered to Mr. Lacon, and that is where and when it seems to me to be about eight or ten weeks; it is only what I fancy from the distance of time.

5980. How were those accounts headed?—They were not headed at all.

 5981. Will

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5981. Will you describe their contents, so that the Committee may be able to describe them to other people; just state so much as you would state in a letter to Mr. Lacon, if you were asking him to return those accounts to you for some purpose?—I should state, "Sir, I should thank you if you would return my red book."

5982. It was in a red book?—Yes.

5983. Had it any mark upon it?—No; but that was the only red book I had.

5984. It had no mark?—My name might be in it, but I cannot say that it was.

5985. What is the first entry in it?—It is a debtor and creditor account, perhaps 20, 30 or 50, or whatever it might be; the credit, "paid so much," and various small sums or large sums, as I might pay them.

5986. Will you tell the names of the other gentlemen whom you thus served for nine or twelve weeks?—Positively I cannot say; I cannot distinguish any particular individual; there are many names I could mention as being in the room, but I cannot say that this gentleman or that gentleman were more particularly active than the others.

5987. You were asked who they were?—Perhaps I might saddle a gentleman with it that had nothing to do with it.

5988. Will you state who the gentlemen were that employed you?—The gentlemen present were Mr. Charles Symonds.

5989. Is he an inhabitant of Yarmouth?—Yes; and Mr. Ferrier was there, but I never received any instructions from those gentlemen.

5990. You say they employed you?—No, I was employed, and I felt myself to be employed by the whole of them; I do not say that they directly employed me, I think I said that they did not.

5991. Will you state some half dozen?—I will give half a dozen; Mr. John Lacon, Mr. Frederick Paget, Mr. Ambrose Palmer, Mr. Edward H. L. Preston, Mr. Richard Ferrier.

5992. Can you give any more?—No, I do not remember any other just now.

5993. Shall you be able to remember any others?—No, I do not think it is likely I can recollect any other person than those.

5994. The Committee happen then to hit upon the precise number that your recollection extends to?—I can give six.

5995. Have you any copy of that account?—None whatever.

5996. No memorandums of any kind, by which, if you were called upon to make out the account, you would be enabled to make it out?—None whatever.

5997. From what did you make it out?—From the transactions that took place at the time, and no other book but that red book was kept by me.

5998. And that red book was an account of the transactions in which you have been engaged, and of the money which had passed through your hands?—Yes, every night I made up my accounts, so that I never let it get into any arrear.

5999. Was that the only book you had of the transactions in which you were engaged?—It was.

6000. That book was an entry of the transactions as they occurred?—It was.

6001. What vouchers did you take from the parties whom you paid?—Proper vouchers.

6002. Where are they?—They were delivered over from time to time to Mr. John Lacon, as I accounted for the money expended by me.

6003. Did he go over the account with you and check them?—He did not.

6004. But all the documents connected with this transaction went back to him?—Yes.

6005. Can you tell how many public-houses you settled for?—I cannot.

6006. Does that book contain an entry of every transaction which you settled?—Yes.

6007. Every transaction in which you were engaged is recorded in that book?—Yes.

6008. So that there is no circumstance to which the Committee could call your attention now but what would be found there?—Not that I am aware of.

6009. Have you ever made out any account and delivered it to any other person but Mr. Lacon?—Never.

6010. Did you ever go over an account with any other person as connected with that election?—As connected with that election, certainly not.

6011. What

6011. What reservation had you in the mode in which you gave that answer?—The reservation I have is, that previous to the canvass of Baring and Praed there was a canvass for Beresford and Praed; there were some consequent expenses upon that canvass which I also paid; and those payments are what I allude to as putting an emphasis upon the words, "not alluding to that election."

6012. Did this account go to Mr. Lacon?—It did, ultimately.

6013. To whom did it first go?—To Mr. Edward Lushington Preston.

6014. How do you know that it went ultimately from Mr. Edward Lushington Preston to Mr. Lacon?—Because I saw him deliver them; I happened to be present at the time.

6015. Where was that?—That was in Sir Edmund Lacon's bank.

6016. Were you engaged at any time during the nights after the polling had commenced of the two days at any of the houses?—I was not.

6017. At no time?—At no time.

6018. Were you engaged at either of the houses where tickets were issued?—I was not.

6019. Do you know who were the persons that were engaged to pay the parties the ticket-money, or to cash them?—Yes.

6020. Will you state who they were?—I should say it was Mr. Charles Aldred.

6021. Was engaged to do what?—The question that I was asked was, who was to pay the tickets.

6022. Where did you see him engaged in paying the tickets?—I did not see him at all; it was only what I understood.

6023. Did you understand it from him?—I cannot say that I did.

6024. Do you know anybody else so engaged?—No.

6025. Do you know who the person was that cashed the tickets at the Shakespeare?—No, I do not.

6026. Have you any reason to believe who it was?—Ought I to state my belief, my Lord? If I were to say any person that was not the right person, I should be doing wrong.

6027. Do you know of your own knowledge, or from the declaration of the person who did it, who cashed the tickets?—I do not.

6028. Did any portion of the account which you kept embrace sums connected with those tickets?—Certainly not.

6029. Whom have you seen pay money on account of that election?—I cannot call to mind an individual at this moment.

6030. Can you state that you have never seen money paid on account of that election?—I have no recollection of it now.

6031. Carry your mind, one at a time, over the names of the gentlemen that you have just mentioned; have you not seen those gentlemen?—It is not probable that they would.

6032. Why is it not probable that they would from your knowledge?—I do not know any person that would.

6033. You do not recollect to have seen any person paying money, as connected with that election?—No.

6034. Do you know where the account was kept, as connected with the election?—No.

6035. Or anything about it?—Or anything about it.

6036. And you do not know anything more than will be found in that book?—No; I had enough to do to manage my own business.

6037. From whom did you receive the money?—I feel that I received it all from Mr. John Lacon, because it did not exactly come from his own hand; but suppose he did, as he did in some cases, say to the clerk, "Give Mr. Barber credit for so and so."

6038. Did you receive all the money you disbursed from Mr. Lacon or from his bank?—No, I do not think I did; but I consider that I received it all from Mr. Lacon.

6039. Whom did you receive it from?—From him or his clerks.

6040. When you are speaking of his clerks, you are speaking of the bank clerks?—Yes.

6041. Is it the fact, that all the money you received you received from Mr. Lacon's bank?—Relative to the election; to say nothing about Beresford and Praed.

6042. How did you get the money; did you draw checks?—He put it into my hand, or he laid it down and I took it up.

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6043. But you said that you received the whole from Mr. Lacon, though he might say to his clerk, "Give Mr. Barber so much?"—That was in some cases.

6044. Did you draw a check?—I think, when Mr. Lacon was absent, I did give a check for some two or three and thirty pounds.

6045. Upon all other occasions how did the money come into your hands?—By actual payment, except that when Mr. Lacon was present and said to his clerk, "Give Mr. Barber the money," I gave no checks; Mr. Lacon being present, there was an end of it.

6046. In other instances, when he was not present, you drew the money by check?—That happened in only a few instances.

6047. Then the whole of the money that was connected with the election appears in that book?—Yes.

6048. Nothing has passed through your hands but what is there entered?—No, certainly not, most decidedly not.

6049. You have been asked, whether or not you were in conversation with Mr. Lacon this morning; you said you had been?—Yes.

6050. Had you any conversation with Mr. Lacon on the subject of this inquiry?—I told Mr. Lacon that I had been sent up, and that my intention was to state straight forward, and every thing that I knew respecting the matter; and he said "By all all means do it;" that is the conversation, and nothing more or less, except a few words that might be extra to it; but that was the substance of it.

6051. With regard to the bills you paid, did you on any occasion refuse to pay any bill that was tendered to you or any part of a bill?—Yes; I wish to consider of it.

6052. Did you refuse to pay any sum which appeared to be for the eating or drinking of freemen during the election?—Yes, there was some.

6053. You have told the Committee, that your accounts respecting Praed and Baring's election were in a little red book?—They were.

6054. In what were the accounts relating to Baring and Praed's election?—Mere consequent expenses upon the canvass, such as beating of drums and so on; that was no inconsiderable sum.

6055. If you wanted to get at those sums, how should you describe them?—They are all in the same book, except that they are not brought forward in a regular debtor and creditor account.

6056. But you said, that to Mr. Preston you gave the account relative to Beresford and Praed's election?—I considered myself employed by Mr. Preston in Beresford and Praed's canvass, and, at the dissolution of those parties, I made up the accounts, and gave them to Mr. Edward Preston or sent them to his house.

6057. There is only one book?—Yes, it is all in the red book.

6058. How much money did you receive altogether from Mr. Lacon or his clerks?—I really cannot say; I should think you must give me a scope of two or three hundred pounds, for I cannot say; I should say from fifteen to eighteen hundred pounds, perhaps between, but not exceeding one or less than the other.

6059. How much was Praed and Beresford's?—I should think I can come nearer at that, for we think that we were very economical there, and we were under 150*l.* There were circumstances attending that from the observations at the time, that it had not cost much, that I remember that.

6060. What expenses connected with the election did not come into your account?—I cannot say.

6061. Did you pay the staff-men?—I did not.

6062. Did you pay the colour-men?—No.

6063. Did you pay the chairmen?—I did not pay any one those monies.

6064. Did you pay the boatmen—there was a boat?—I know that I paid them a great deal for allowance.

6065. Did you pay their fees?—Yes, in one or two instances I did.

6066. Did you settle Mr. Green's account?—I settled Mr. Green's public-house account.

6067. For drink and tickets?—No, I had nothing to do with tickets.

6068. Did any tickets pass through your hands?—No, that was not my department at all.

6069. Did you pay any of the returning-officer's expenses?—Not a farthing.

6070. Did you pay anything for booths?—I did, I paid the whole of it.

6071. What was the amount of that?—The amount for the naked building of the booth was 45*l*, as near as I can remember: I say that is the sum.

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6072. Did you pay the poll-clerks?—No, that is part of the sheriff's expenses.

6073. You paid none of those?—None.

6074. Do you know whether this 1,500*l.* or 1,800*l.* included what is called the vote money?—No, I never knew that was paid till after it was done.

6075. Did you ever tender any accounts to any one but Mr. Lacon?—No.

6076. When you began your evidence there was some little doubt about the mode in which you were employed; was not your understanding with the party that you should, from the commencement of the canvass till the end of the election, give your time and attention to those accounts whenever they should require your attendance?—That might be a fair presumption, but there was never any direction given to me about it. I was told by some person that I was cash clerk or accountant.

6077. What was your remuneration for this?—There was no agreement whatever.

6078. What is your usual mode of life—what is your profession?—I have been in the same profession that I have stated I am now in, that is, clerk to Mr. Ranney, for 10 years, and previous to that I was clerk to another attorney for several years, and that is my career.

6079. Then it was with Mr. Ranney's permission that you undertook this office?—By his permission, but not by his direction; that was not sufficient for my maintenance, and my object was to get something else. I did it for the sake of earning the money, that was the fact.

6080. Are you a voter at Yarmouth?—Yes.

6081. Were the professional bills included in that account?—I had nothing to do with professional bills, I never saw one in fact.

6082. Were they printed bills?—The printed bills were part of the 1,500*l.* or 1,800*l.*

6083. In this sum of 1,500*l.* or 1,800*l.*, was the expense of the band of music included?—Most certainly it was.

6084. And the expenses of the colours?—Yes, I know that there were many charges made for colours.

6085. That book contained the account of your disbursements?—The whole of my disbursements.

6086. You say that you paid Green's account?—I paid his public-house account.

6087. Is that in the book?—Yes.

6088. But not for the voters?—I said it was not for the voters.

6089. Do you know the amount of the sums that you paid Green for his public-house account?—I cannot tell.

6090. Did you pay Green any other sums than those which will appear upon the book?—No, or I must have paid them out of my pocket.

6091. Did you pay Mr. Prentice his account?—I will not speak positively of Mr. Prentice, but what recollection I have of the transaction with Mr. Prentice, that at Beresford and Praed's election I paid him a sum of two or three pounds, but I will not speak with any certainty upon it; and as to Baring and Praed's, I think I paid him a sum of six or seven pounds: or these two may be *vice versâ*; but I did not pay him any money for a long time previous to the election.

6092. You have given half a dozen of the names of the body of gentlemen that employed you?—Yes.

6093. Did those gentlemen employ you in Beresford and Praed's election?—I had nothing to do with them then; I stated that I was solely employed by Mr. Preston.

6094. Therefore this body of gentlemen applied wholly to the last election?—Certainly.

6095. How many weeks prior to the election were you employed; you say from nine to twelve altogether; that was prior and subsequent to the election?—I now remember it was the 19th, and directly I will tell what month that was, but I cannot tell just now; I think we commenced on the 19th of November, but that was Beresford and Praed's.

6096. Do you mean that you were regularly and continually employed day after day, without intermission, from that time to the election, or that your employment commenced at that time, and from that time to the election you were employed at intervals?—Yes.

6097. And you mean, when you say from nine to twelve weeks, that that was at

Mr. R. D. Baber.

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intervals, the whole forming a body of from nine to twelve weeks; or do you mean to say that you were employed at intervals from nine to twelve weeks?—I was employed from nine to twelve weeks, the whole forming a body of that time at intervals, as there might be some weeks where no debts had been incurred.

6098. And that you commenced from the 19th of November?—I think it was November.

6099. Do you recollect when the canvass for Baring and Praed commenced?—Mr. Praed came into Yarmouth on the 19th of November.

6100. How long did Beresford and Praed continue?—That I cannot speak to, but I should think about a month.

6101. Do you remember the last day on which you were employed?—No, I cannot.

6102. Was it in February or March or April?—I cannot say at this distance of time.

6103. Did you settle the Gorleston bills?—No; except what I have stated with regard to Mr. Prentice; I have had nothing to do with the Gorleston bills.

6104. Do you know that there are bills settled in Gorleston?—Undoubtedly, there are, I infer; because elections cannot be carried on without expenses.

6105. Do you know who was employed to pay the Gorleston and Southtown bills?—No, I do not; I was not, nor did I pay any bills to Gorleston or Southtown except those bills that I stated before.

6106. Your limits were the ancient borough of Yarmouth?—Yes.

6107. Who acted as accountant in Gorleston?—That I cannot say.

6108. In what character did Mr. Prentice apply to you?—He applied to me as an individual would in Yarmouth.

6109. In your character as an old accountant in the place?—Yes; I should say that it is so, for I have lately had the honour of being unanimously appointed as the clerk and secretary of the saving bank, of which Mr. Barth is the manager; and I have no doubt that I might, in all probability, have had the honour of Mr. Barth's support.

6110. Have you settled the stationery bills?—I have.

6111. They are included in your bills?—Yes; in fact all sort of consequent expenses upon elections.

6112. And you are in the habit of being employed by different parties in the town as accountant?—I am.

George Kerrison, called in; and Examined.

George Kerrison.

6113. WHAT are you?—I keep an inn.

6114. Are you a voter for Yarmouth?—Yes.

6115. As a freeman or a householder?—A householder.

6116. Was your house open for the Reds?—Yes.

6117. How long?—It was open three days.

6118. What is its sign?—The sign of the Buck.

6119. You recollect the nights of polling; the night between the two days of polling, and the night before the polling day?—No; I cannot say, for I never took any account of it.

6120. Do you remember the gentlemen being at your house on those nights?—Yes.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself, but that he was bound to speak the whole truth.

6121. What were the names of the gentlemen that were there?—I cannot state all.

6122. State those you recollect?—Mr. Sloman.

6123. Are there not two?—Father and son.

6124. Which are you speaking of?—The young Mr. Sloman and Mr. Carter.

9125. What is his christian name?—Robert.

6126. Who else?—Mr. William Pratt.

6127. Any of the Mr. Prestons?—Not one at that time.

6128. What time are you speaking of?—The time of the election.

6129. The two nights are spoken of; the night before the first day of polling, and the night previous to the second day of polling?—Mr. Lacon was there.

6130. Which

6130. Which of them?—Mr. Mortlock Lacon.

6131. Any other Mr. Lacon?—There is one, Mr. John Lacon was there, but I cannot say what night.

6132. Was he there one of those two nights?—That I cannot say; not of the polling.

6133. Which night was he there?—I cannot say.

6134. What other gentlemen were there?—There was Mr. Becket.

6135. Any one else that you recollect?- Yes; there was Mr. Fiet.

6136. Were the gentlemen of the Red party generally there?—No; tradespeople in general at the polling nights.

6137. Those gentlemen you have named were there?—Yes.

6138. Do you remember any others?—No; I cannot recollect their names.

6139. Had you a great many freemen in your house on that night?—Freemen and householders.

6140. Were they there all night?—No, not all night.

6141. How long; to what hour that morning?—Till twelve or one o'clock; it might be one o'clock, or a little after.

6142. Was not the house open during the whole of the night?—No; it was closed before two o'clock.

6143. On both nights?—Yes.

6144. How long was your house open as a Red house?—They came backwards and forwards all that week in the evenings, no other time.

6145. Only in the evenings of the week of the polling?—Yes.

6146. How many days did you consider that your house was open?—About six days.

6147. Who paid your bill?—Mr. Barber paid my bill.

6148. Did you make it out in writing?—No, I did not make it out; it was made out by Mr. Sloman.

6149. What amount did you receive?—From different people I received about four or five and twenty pounds. I did not take any account, and made no bill.

6150. State the names of the gentlemen who paid you any money?—Mr. Aldred paid me some.

6151. Charles Aldred?—Yes; and Mr. Dye, of Yarmouth, a schoolmaster, and Mr. Barber, paid the remainder.

6152. In all, you received about 25*l.*?—Yes.

6153. And what was the balance you received from Mr. Barber?—£. 7. 4*s.*

6154. Do you know whether any tickets were left at your house?—Yes, some tickets were given me.

6155. Were they in the account, or cashed by themselves?—Cashed by themselves.

6156. What was the amount of the tickets?—I cannot recollect the whole amount, because I had them paid by two different people, and I did not take any account of the sums.

6157. Would there be 20*l.* or 30*l.* altogether?—No; not so much as that altogether, thereabouts.

6158. What was the greatest value of any ticket that you did cash?—There were some half crown and 5*s.* tickets.

6159. Seven shillings and sixpence?—No, 5*s.*

6160. None 7*s.* 6*d.*?—None 7*s.* 6*d.*

6161. Were there any 10*s.*?—No.

6162. Had you any general orders to draw drink for voters?—No.

6163. They all either paid for it or presented tickets?—Yes, except the gentlemen.

6164. Did many of the parties who had tickets go beyond the value of those tickets, and drink out of their own pockets?—No, nor yet so much, some of them.

6165. Did some of them get all drink, and some drink and cash?—Yes.

6166. Do you mean to say that, instead of giving them all drink, you gave money to some voters?—I took tickets for eating and drinking.

6167. Did you give to voters any cash for the tickets?—Yes, some; they wished to have some returned in money, and some in drink.

6168. Did you ever return the whole amount of the tickets in money?—No.

6169. It was merely the balance of what they did not eat and drink?—Yes.

6170. Supposing a man brought two half-crown tickets, you would give him change for both?—No.

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6171. Did any of those lay out any portion of those tickets in eatables as well as drinkables?—Yes, some of them did.

6172. How long have you lived in Yarmouth?—Twelve or 14 years.

6173. You have seen several elections?—Yes.

6174. Was there more or less drunkenness at the last election than in the others?—I do not think there was more.

6175. Can you draw any distinction?—No, my house was never opened before.

6176. You think no man can pretend to say there was much difference?—No.

6177. Was there any rioting?—No, not at my house.

6178. Were there any windows broken?—No, not in mine.

6179. But you do not know whether there were in other person's houses?—No.

6180. Did not the men get a little drunk in your house?—No, they were all tradespeople.

6181. They do sometimes, when there is no election?—Sometimes.

6182. You had a few more cases when the election was about than if there had not been an election?—No.

6183. They ate more and drank less; was that so?—I do not know whether they did.

6184. Did you see any of the Shrieves at your house at any time?—Yes, Mr. Shrieve had been at my house at the time.

6185. Which of them?—Three of them.

Mr. *Charles Corry Aldred,* called in; and Examined.

Mr. C. C. Aldred.

6186. ARE you a surgeon at Yarmouth?—I am.

6187. Are you a voter?—Yes.

6188. And polled as a householder?—Yes.

6189. You voted Red?—Yes.

The Chairman informed the Witness, that he was not bound to answer any question that criminated himself.

6190. Had you any thing to do with the last election?—I had a little.

6191. Will you state what that little was?—I paid a few refreshment tickets; I believe that was the extent.

6192. To what amount did you pay?—I really cannot say now; perhaps 800 or 900 I might pay.

6193. To whom did you pay those tickets?—To different persons, whoever produced them to me.

6194. Was the money you paid for those tickets the only money that passed through your hands, in connexion with the election?—It was, except a shilling or two that I paid out of my own pocket.

6195. What was the whole amount of money that passed through your hands, as connected with that election?—I cannot state; I should say under 150*l.*; but I really speak almost at random, for I have no memorandums or papers to speak from.

6196. Who employed you?—I was not employed; it was a question asked in a room where we were, who will undertake it, and I said I will undertake it.

6197. Then the whole amount may be taken at 150*l.* which passed through your hands?—I should think rather under than over; about that.

6198. From whom did you receive that money?—It was a subscription list, and Mr. Lacon was the treasurer of that subscription list, and from him I received the money.

6199. Was there any public meeting connected with that subscription?—Not that I am aware of; it was generally talked of that there was a subscription.

6200. And you believe that the money of which you speak came from that subscription?—I am sure of it.

6201. And is it your belief, or within your knowledge, that the whole amount of the ticket money was paid from the subscription?—It was.

6202. Have you seen the list of subscribers?—Never.

6203. Do you know who was secretary to the subscription?—I do not think there was any secretary at all; there was a treasurer; that was sufficient, I believe.

6204. Do you know whether any account of that subscription was kept, so that the subscribers might know what became of their money?—Never.

6205. You think that none were kept?—I never saw any account or any subscription list, and therefore I cannot say.

6206. What

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6206. What is the reason that makes you believe that the money came from a subscription list?—Because, when I have asked Mr. Lacon, "Can I have any more money?" he has said "No; you must wait till I get it in."

6207. Is there no other circumstance than that which induces you to believe that a subscription existed?—I have heard it mentioned, and several gentlemen I have heard mention it; it was a general thing among us that there was a subscription, and I have not the slightest doubt of it.

6208. But you never saw any account or list of subscribers?—No.

6209. The 150*l.* you spoke of came from Mr. Lacon, who sits here?—Yes.

6210. What is his name?—John Lacon.

6211. Has he not any other name?—I do not know.

6212. Did you pay Mrs. Brieze's account?—No account, I paid some tickets.

6213. Did Mr. Lacon at any time, when you applied to him for money, state that he had not got any in, but he would pay it out of his own pocket?—Yes.

6214. By which you understand that some of the gentlemen subscribing had not paid their subscriptions?—Yes.

6215. Did you pay any part of the subscription yourself?—No.

6216. When Mr. Lacon paid you the money did you draw a cheque?—Never.

6217. Did you keep any account?—None whatever; they trusted the money to me, and I applied it to those purposes, and those purposes solely.

6218. Has Mr. Lacon no vouchers to show to the other parties?—I never gave him one.

6219. Did you distribute the tickets to meet which this money was subscribed?—I did not distribute them to the persons themselves.

6220. Had you the tickets in your hands?—I had.

6221. To whom did you give them?—To different persons who came for them.

6222. On what occasion did you give the first tickets?—On Christmas-eve.

6223. Do you recollect on any other occasion giving tickets?—Two or three days after Christmas-eve.

6224. And on any third occasion?—On New Year's-eve.

6225. Did you give any on any other times but those?—None that I am aware of.

6226. You gave a number of tickets to certain persons?—Yes.

6227. What did they do with them?—I believe they were given to men.

6228. Were any returned to you as not used?—Yes.

6229. But none were issued after the day you distributed them?—No, they were returned to me the next morning, and I destroyed them.

6230. Did all the tickets you distributed come back to you afterwards from the persons not using them or the publicans?—No, they missed three or four, and I was told the opposite party had got them to take care of them.

6231. No considerable number?—No.

6232. What was the value of each ticket?—Half-a-crown each.

6233. Was there any more than half-a-crown?—No.

6234. No 5*s.* tickets?—Not to my knowledge.

6235. Nor 7*s.* 6*d.*?—Not to my knowledge.

6236. Nor 10*s.* tickets?—Nor 10*s.* tickets.

6237. You state you had 8 or 9,000 tickets, and about 150*l.* you paid; if the tickets were half-a-crown, that does not tally?—Then there were more tickets passed through my hands; I do not know that ever I counted them, so that it is a mere guess.

6238. Are you sure that you had no 5*s.* tickets?—I am quite certain of that; I might have had 1,200; I paid the whole money away.

6239. Were you the only person that had the distribution of the tickets?—To my knowledge I know of no one else.

6240. Do you believe that any body else distributed tickets?—I cannot say, because I do not know; during the election I was engaged in another department.

6241. What rule had you for your own guidance in the distribution of the tickets?—A freeman, who asked for them.

6242. Did you know the freemen?—No; if a man said his name was such-and-such, I looked at the register.

6243. Did the householders apply?—Yes, and I looked at the register for their names.

6244. Did the freemen of Gorlestone come to you?—Yes.

6245. And the householders of Gorlestone?—Yes.

6246. The

Mr. C. C. *Aldred.*

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6246. The freemen and householders of Southtown?—Yes.

6247. Then if you have used the term "freemen," you mean voters generally?—Yes, one as much as the other.

6248. Have you any idea what proportion the freemen who came bore to the householders?—I should think about a fifth were householders, or a sixth—perhaps a sixth would be nearer.

6249. The other five-sixths were freemen?—Yes.

6250. Were you a member of Messieurs Praed and Baring's committee?—There was no committee.

6251. Did you attend at those rooms?—There was a room where they used to meet.

6252. What did you call it?—West's house.

6253. Was it the house from which the candidates spoke?—Latterly they spoke from there.

6254. Is it the house from which Mr. Praed desired the placard "Praed's Committee-room" to be taken down?—There never was a placard to my knowledge, and therefore he could not have desired it to be taken down.

6255. Or a board?—There never was a board; the opposite party had a board, "Anson and Rumbold's Committee-room," and that was taken down.

6256. You do not believe that that was taken down in consequence of a similar transaction?—No; I do not think so, because I do not think there was a board.

6257. Were you cognizant of all the proceedings previous to the election, and must you have known of it if there had been any board at any room, with the words "Baring and Praed's Committee-room"?—Certainly.

6258. And you are certain that no such board ever existed?—Yes.

6259. Those meetings were for the good arrangement of the election?—It was to give the man a Christmas treat. I went into one or two of the houses, but I did not hear any thing mentioned of the election.

6260. In West's house did you never have a canvass list?—I had.

6261. Was it not discussed?—No, I never heard it mentioned; I never saw a canvass book in West's house.

6262. Had you any other meetings upon the subject?—The only place where I saw a canvass book was at my own house.

6263. Where did you meet for the purpose of getting up the voters to poll?—I had nothing to do with that.

6264. Had you any consultation about that?—Never.

6265. How did you provide yourself with cash?—I asked a man to go and get me change.

6266. Do you know where he got it?—No.

6267. He never brought you 20*l.* or 30*l.* at a time?—No.

6268. They did not come to your house?—Some to my own house, and wherever they could catch me.

6269. And you think that you are the only man in Yarmouth that did give tickets?—I think, I am certain of it.

6270. You do not include the publicans?—All the tickets almost that were issued at that time came back to the publicans, and the publicans brought them to me.

6271. Had you any deputy distributor of tickets; did you allow any of the publicans to distribute for you?—No, certainly not.

6272. Have you given them over to Mr. Green, for instance?—I gave them over to certain persons, and if they were not used, they were brought back; but then I gave a list to distribute them by.

6273. Had you a good many unused at the end of the election?—I had perhaps a couple of hundred.

6274. Were those destroyed?—Every thing, on the chairing day, I destroyed every ticket I had.

6275. You thought it was all done?—Yes; and I thought they would retire, as we had done beaten.

6276. You destroyed them long before this Petition was in contemplation?—Long before it; the moment the election was over.

6277. There were not other tickets, except those which were paid for by you?—I know of no other tickets.

6278. Will you say that there were not?—I will not say that there were not, or that there were.

6279. Has

Mr. C. C. Alared.
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6279. Has any body ever told you the amount of that subscription?—Never.
6280. Do you know any gentleman that has ever stated to you that he was a subscriber?—There have been several; it has been matter of conversation, "Are you a subscriber." I recollect having money paid to me on one occasion, but from whom I forget, which I handed over.
6281. Do you recollect the amount?—Five pounds; that is the only sum I received; knowing that I was paying the tickets, they brought the money to me.
6282. You have no means of giving the Committee any idea of the amount of that subscription?—No, I have not, but that it covered the tickets; before I issued them, I said, will the subscription cover the amount of the issue; and they said it would.
6283. Did your tickets go to the stavemen and colourmen?—No, only to voters.

Andrew Cooper, called in; and Examined.

Andrew Cooper.

The Chairman informed the Witness, that he was not bound to answer any question that might criminate himself; but that he was bound in all questions that he did answer to speak the truth.

6284. DID you poll at the last election for Yarmouth?—Yes, on the first day.
6285. What did you get for it?—I did not get nothing till four or five days after, 3*l.*
6286. Did the person call upon you?—Yes; he called at my house, and paid it.
6287. Was that for your vote?—Yes.
6288. Who was it?—William Hutton gave it me.
6289. Who had called upon you first about your vote?—Nobody called upon me first.
6290. Had Mr. Wylie any thing to do with it?—He said, I shall promise you 3*l.*, but he did not give it to me.
6291. Then afterwards how did you get it, did you send to Wylie or not?—Yes; in three or four days he said I was to go to tell Bill Hutton, and Bill Hutton was to go to Wylie for it.
6292. And Bill Hutton came and gave you the money?—Yes.
6293. Did you get your vote money at Green's?—Yes.
6294. And 1*l.* as chairman?—Yes; I will speak the truth and nothing but the truth I will speak.
6295. When did Wylie make you this promise?—The first day.
6296. Before or after you had polled?—After I had polled; he would not let me have it till I had polled.
6297. You polled the first day?—Yes.
6298. When did he promise you to give this money?—He did not promise me at all; Bill Hutton was to give it to me.
6299. Did he promise to send him?—After I had polled.
6300. When did he first tell you that he would give you 3*l.*?—The first morning.
6301. Before or after you had polled?—Before I had polled.
6302. Had you any conversation with Mr. Wylie before that?—Yes, I had.
6303. When?—I think to have dinners there and breakfasts there.
6304. Was that before you polled?—Yes, before the election.
6305. How many times did you dine there?—I dare say that I dined a fortnight there altogether, suppers and dinners.
6306. Had you suppers as well as dinners?—Yes.
6307. And breakfasts?—Yes.
6308. Were you there 10 times altogether?—Yes, I know it was 10 times altogether.
6309. What is Mr. Wylie?—He keeps a fish stall, a publican.
6310. Were there any voters with you, did any other voters get all those victuals with you at the same time?—No, none but myself.
6311. Have you ever been in Mr. Wylie's employment?—No; I am in Mr. Gardner's employment, making nets.
6312. William Gardner's employment?—Yes.
6313. The man that was examined the other day?—Yes; I have worked for him 15 years.

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6314. Whom did you tell this story about the 3*l.* to?—I told it to Mr. Gardner, but I did not tell whom I got it from; he supposed it was from Mr. Wylie, but he judged wrong there.

6315. When did you first tell Mr. Gardner?—After I had got it.

6316. How soon after?—The day after.

6317. The father or the son?—The father, because I work for him.

6318. Did you tell the son?—Yes, I did.

6319. Did the son say that he had got any thing?—No, he never told me he had got any thing.

6320. He kept the secret better than you did?—Yes.

6321. Did you tell any body else?—No, that was not likely.

6322. Your wife?—I have not got a wife; there is a young woman acquainted along with me, I told her certainly.

6323. Where did you spend this 3*l.*?—In getting a few things out of pawn, and the rest I laid out in victuals.

6324. How did you vote, Blue or Red?—I voted Red.

6325. How often have you voted at Yarmouth?—Ever since 1818.

6326. Have you always voted Red?—No, only twice Red.

6327. Did you ever get any thing when you voted Blue?—No, nothing at all.

6328. You gave them up?—It was my foolish way; when they give me a drop of drink, I will go any where then; half a pint will satisfy me at once.

6329. Will half a pint make you say any thing as well as do any thing?—They will lead me to any thing when they give me some beer.

6330. When you get beer will you say any thing?—No, they do not take me off, but I never was a Red in my life; I always was a Blue in my life, but when they give me drink I am foolish like a child.

6331. Do you mean to say you have been seduced twice?—Yes.

6332. Have you had any beer this morning?—Yes, I have had half a pint.

6333. Does that lead you as much as the pint did in the election?—I never drink but in the election times.

6334. Had you half a pint this morning?—Yes, because I was out in the coach all night.

6335. Where did you go to pawn your clothes?—To Mr. Playford's, in Grove-street.

6336. What articles?—Such as those articles I have on and a pair of shoes.

6337. How came you to go and get those dinners and suppers at Mr. Wylie's, what did he say to you?—He did not say nothing about it; he called me and gave it to me; he thought he would get something by it, and gave it to me.

6338. Are you in the habit of going there?—No; he will not give me half a pint of beer now that the election is over.

6339. Did he say any thing about the election?—No; but ever since the election he will not give me half a pint.

6340. He took you in tow during the election?—Yes, like a ship taking a small craft in tow without a mast.

6341. When did you come up from Yarmouth?—Last night.

6342. What did you get before you came up?—Two pounds, and I got a note in my pocket I was to give you.

6343. Where are you living now in town?—Against the Gaol, Newgate Gaol.

6344. There are a good many people from Yarmouth there?—None but myself.

6345. Is it Newgate you mean?—Yes.

6346. Is it the White Horse?—No; I have the direction in my pocket.

6347. Was that 2*l.* given you to bring you up and to take you down?—No, that was to bring me on the road.

6348. To pay your expenses to London and back again?—No.

6349. You have not spent all that?—No, I am not such a fool as that.

6350. What did your coach-hire cost?—Ten shillings; they told me not to pay it.

6351. They pay it down at Yarmouth?—Yes.

6352. You received 2*l.* to come up, your coach-hire is paid you, and do they pay your bill where you are now?—I do not know; so they tell me, that they get so much a day; generally, they say, they get 10*s.* a day.

6353. Did you pay for any thing you got coming up?—No, nothing but that half pint: I got three half pints.

6354. Did you pay the coachman or guard any thing?—No.

6355. Did

6355. Did they ask you?—No, they did not.

6356. Who told you that all this money was stirring at the election first?—I do not know, I am a fool, the same as other people; I never asked people for money; if they like to give it me, well and good; I am a poor man, and do not earn above sixpence a day.

6357. Then the young woman who lives with you, who finds her bread?—I find that as well as I can.

6358. Does she help to keep you?—No, it is not likely.

6359. What do you earn a week at your labour?—About 3 *s.*

6360. Is that the most you have been earning the last six months?—Sixpence a day; I do three skeines a day, and that brings in sixpence.

6361. And you never changed your employment to any thing else?—No.

6362. Do you never go out fishing?—No, I am not fit for it.

6363. Who went with you to poll?—Jemmy Russel and Billy Hutton went up to vote with me; I told him I did not want anybody to go.

6364. Did he go to take care of you?—Yes, he was intoxicated.

6365. And after you had polled he gave you the money?—No, eight days after.

6366. Where were you when he gave you the money?—In my house.

6367. Did anybody see him give you the money?—No, none but the people at home.

6368. Who are the people at home?—Mrs. Hutton.

6369. Did she see you?—Yes, she did.

6370. Was it in the kitchen?—No, in the lower room; they have one room and a garret.

6371. And there was three sovereigns in gold?—No, one sovereign in gold, and the rest in silver.

6372. You are quite sure of that?—Yes, I will take my oath of that.

6373. If he were to say there were two sovereigns and twenty shillings in silver?—No, there was but one sovereign in gold.

6374. Did you give the mistress of the house any of the money?—No, I did not.

6375. You kept it all your own self?—Yes, and got the things out of pawn.

6376. When were you first examined at Yarmouth upon this matter, about the money that Hutton gave you: when did you first hear any thing about coming to London?—Mr. Little came to me.

6377. Where did he take you to?—To the committee-house.

6378. Who was there?—The barrister.

6379. The London lawyer?—Yes.

6380. He asked you all about this matter?—Yes.

6381. What day was that?—Monday.

6382. Are you sure that you told him what you have told the Committee?—Yes.

6383. What did he tell you to say?—The same as I told there.

6384. What did he say to you?—He said, you must tell every thing you know about that.

6385. Did he tell you to say anything that you did not know?—No.

6386. Did he put anything into your head?—No, I recollect of myself.

6387. Did you ever hear at Yarmouth that you should have a pleasant journey to London?—Yes.

6388. And that you would have 2 *l.* for coming up, and your coach-fare paid, and that you would have a pleasant journey to London?—Yes.

6389. Who told you this?—The committee; they said, do not be afraid, you speak the truth, and there will be no harm come to you.

6390. Did they tell you exactly what sum of money they would give you, or that your expenses would be paid?—No, they did not tell me anything about that till I went away the same day.

6391. What did they say?—I said, am I to pay for the coach-hire out of this, and the barrister said no.

6392. When you said that you were willing to come up and speak the truth, did you say anything about paying your expenses?—No, I was going along, and they sent for me. Mr. Little came to me, and he said that he wanted me up there, and I went up.

6393. What did the barrister say to you when you got there?—He said, how do you come to come here; and I told him Mr. Little sent for me.

 6394. You

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6394. You are sure you have told him nothing different from what you have told to-day?—No.

6395. Have you seen the barrister in this room?—No.

6396. You were quite sober when you got there?—Yes.

6397. Did you promise to give your evidence and to state the whole truth as to the 3*l.* before anything was said about what you would receive for coming to London?—I told the barrister what I knew, and what was true.

6398. Was that before or after you knew that your expenses would be paid?—That was before.

6399. Before you had any promise made to you, that if you came up to London to state before this Committee what you have stated, you did not know when you made that statement, that you should receive those two sovereigns that you then got?—No, I did not know that I should have a halfpenny given to me when I got this here order.

6400. How long have you been a voter?—Since 1818.

6401. Have you voted in all the elections?—Yes, I have.

6402. Have you always voted Blue?—Always except this twice.

6403. Did you get any money in the former elections from any party?—No; I never got any money for any election but this last time.

6404. Did you never get two guineas?—I got two guineas before the reform took place.

Edward Harbord Lushington Preston, Esq., called in; and Examined.

The Chairman informed the Witness that he was not bound to answer any question which might criminate himself.

E. H. L. Preston, Esq.

I BEG to state to your Lordship that in obedience to your summons I appear here, but that I have received another summons warning me that I may be accused by the evidence here with acts of bribery, and therefore I claim for myself the privilege of appearing as defendant here, and not as a witness.

6405. Have you a vote for the borough of Yarmouth?—I have nothing to say.

6406. Do you decline to answer any question which may be put to you?—I have nothing to say. I decline to be a witness altogether; I do not wish to infringe upon the privileges of the Committee, but I am a defendant here and I cannot therefore be examined.

6407. You are aware that the Committee have come to a resolution to report to the House those persons who decline giving evidence on the ground, merely that they have received notices that evidence is to be given against them that will criminate them?—I am aware of that.

6408. And you still, notwithstanding that, refuse to be a witness?—Yes.

6409. You understand that what you call a threat, is merely a notice required on the part of the Committee to be served on all witnesses, that if any thing by possibility might come out that might criminate them, they might be prepared, but it was never with the object of converting the witnesses into defendants?—I do not conceive that I can be brought here as a witness, inasmuch as I have not only been warned that I may be accused, but as I have also understood, that I have *de facto* been accused, and therefore I submit that I cannot be called as a witness.

6410. Have you any other observation to make to the Committee?—No observation whatever.

Chairman.]—The Committee consider that you are bound to answer all questions which have not a tendency to criminate yourself, and that when a question may tend to criminate yourself, you may apply to the Committee. After that intimation, you refuse to give evidence?—I do.

Mr. *John Edmund Lacon*, called in; and Examined.

Mr. J. E. Lacon.

6411. WHAT are you?—In the Customs.

6412. What situation do you hold there?—Landing waiter.

6413. Are you a voter for Yarmouth?—No, I am not.

6414. Were you engaged during the last election in Yarmouth in the canvassing?—I went about the canvass.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

6415. Did

Mr. *J. E. Lacon.*

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6415. Did any money pass through your hands in connexion with the late election for Great Yarmouth?—Yes, it did.

6416. How much?—I cannot say what it was; it was just a small sum or two to pay the colourmen, and so on. I treated the colourmen and those sort of people.

6417. What was the amount of the whole of the money which passed through your hands?—I cannot tell.

6418. As near as you can state?—I dare say I might have had 20*l.*

6419. Is that all the money that passed through your hands in any way, in connexion with that election?—Yes; to the best of my belief it is near that, or somewhere thereabout.

6420. But let the sum be 20*l.* or 30*l.* or 40*l.*, do you, in naming 20*l.*, name the whole amount of money that passed through your hands during the election, or since?—I should say as nearly as possible; it might be a few pounds more than 20*l.*; certainly, under 25*l.*

6421. Was that the whole of the money, whatever the sum was, whether 25*l.* or 20*l.*?—I cannot tell exactly, but that would fully cover all the money that passed through my hands.

6422. Either before the election, or since?—Yes.

6423. From whom did you get the money?—Some part of it from my cousin, Mr. John Lacon.

6424. Has he any other name than John?—Edward.

6425. That gentleman sitting there?—Yes.

6426. From whom else did you receive any portion of that money?—I got a few pounds I think from Mr. Preston.

6427. Which Mr. Preston?—Mr. Edward Lushington Preston.

6428. From whom else?—From nobody else.

6429. Then the money, whatever amount it may have been, you received, came from those two gentlemen?—I think so.

6430. From no others?—No others.

6431. Have you had any thing to do with any of the voters?—I have asked them for their votes.

6432. Did you canvass any of the electors?—I have gone round on the canvass, certainly.

6433. Did you upon any occasion attend at any of the public-houses where the voters were?—I believe I have gone in of an evening, and seen them there.

6434. Did you at any time propose to give any sum of money to any voter for his vote?—I shall not answer that question, with the permission of the Committee.

6435. You object to answer that question?—Yes.

6436. Or any similar question?—Yes; I object to say that I offered any money to any one.

[*The objection was held by the Committee to be a valid one.*]

6437. How long have you been a landing waiter?—I was sworn in a week or a fortnight ago.

6438. Since the election?—Since the election; I had my appointment before, but we are for a certain time under instruction.

6439. When were you appointed?—I think it was in April.

6440. That was since the Election?—It was.

Veneris, 7° die Augusti, 1835.

THE RIGHT HON. LORD FRANCIS L. EGERTON,

IN THE CHAIR.

Mr. *E. H. L. Preston.*

7 August 1835.

Mr. *Edward Harbord Lushington Preston*, called in; and Examined.

6441. *Chairman.*]—WHAT I have to say to you may be considered as applying to the two individuals who are in the same situation as yourself, who are both in the room. It will be my duty to ask you whether you persevere in the course which you adopted; but before I call upon you to ask you what the answer to that question is, I should wish to do that which as an individual I cannot do; that is, offer any thing in the nature of suggestion or intimation, which can by possibility guide

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guide you in the course that you may think proper to take. In the presence of the Committee I do feel myself justified, under the particular circumstances of the case, in suggesting to your own consideration, you being at liberty to take your own course, whether you may consider that, under the peculiar circumstances of the case, you may not have gone for any purpose of your own protection or consistency far enough in constituting yourself defendant in this case. You are aware that whatever may be the validity of that objection in your own mind, the Committee in the first instance have come to a resolution, upon consideration that the notice which you received was not intended to justify you in taking that course, and their duty is to obtain, by every legal and proper means in their power, such information as they can obtain upon the subject of these petitions; I think myself justified in throwing it out for your consideration, whether on the very terms of the petitions there may not be considerations going back previously even to the last election, with respect to which your answering questions could not by possibility tend to criminate yourself. I have also to throw it out to you, that the subject of questions which may tend to criminate parties, has come under the peculiar consideration of the Committee. You are aware that not only in that Committee but in the House of Commons, the principle has been fully admitted, whether it be right or wrong, that no parties should be called upon here to answer questions which may, in the opinion of the Committee, criminate themselves. The wish of the Committee is to act up to the full and fair spirit of that resolution of their own, and of that principle which they have adopted; and under all those circumstances, I do think myself justified in calling upon you not in the way of threat or in the way of advice, which I have no right to give, but for the general reasons of your own just protection to throw it out for your consideration, whether having gone so far in that course, having stated that objection, and having protested against being called before this Committee, you would think it necessary for your protection to continue to persevere in that course, which, if persevered in, I presume the House of Commons cannot avoid taking such course as the Report of this Committee may oblige them to do?—I am obliged to the noble Lord for the suggestions just thrown out; but in the first place there appears to be an omission on my behalf, which is this—that I do not stand on the simple ground, that I have been summoned with a warning of bribery being brought against me, but that I have in reality been accused before this Committee of divers acts of bribery; and therefore I contend on that point, that my case has not been properly brought before the consideration of the House, and was unattended to. On the other hand his Lordship has been pleased to state, that my evidence might be claimed respecting circumstances in elections not connected with this. I, of course, in those elections, can have no objection to answer any question, because there, no acts can be connected with me. I have had nothing at all to do with those; but here I have not only been summoned but accused, and I am still called upon to come and give evidence. The first question which was put to me, as Mr. Serjeant Wilde expressed it, "Are you a voter," would criminate myself.

6442. Does that effect the principle which the Committee have adopted, that you are at liberty to decline answering any question, be it what it may?—With all due deference, and I am much obliged to you for the suggestion you have thrown out; but I cannot but adhere to my own former decision, and particularly when I am backed by the decision of the solicitor-general; and upon those grounds I decline to answer.

6443. Have you attended to and read carefully the admonition of the Speaker of the House of Commons?—I have.

6444. Have you read the first or second petition into the allegations of which this Committee is appointed to inquire?—I have read them both.

6445. Are you aware that the second of those petitions expressly alleges certain corrupt practices to have existed in the borough of Yarmouth, previously to the last election?—I am.

6446. Are you aware that the statute of Elizabeth entirely protects any party from any action at law, or any penal prosecution, provided the alleged act shall have been committed two years previously?—I am aware of that; I have no objection whatever to give evidence respecting former elections, but here I am brought forward as a witness in an election, where I am summoned to appear as a person liable to have acts of bribery opened against him; and not only that, but I have, *de facto*, had allegations against me, that was not presented to the House; I object, because I am an accused party.

6447. You

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6447. You do not object, generally, to be a witness on any of the allegations contained in the petition, but you object to be a witness on the allegations applying to the last election?—Exactly.

6448. Then you are willing to be examined as a witness before this Committee?—I have no objection to be examined before this Committee, respecting any act that may have occurred in the previous elections.

6449. The resolution of this Committee is, "That it will permit any such person," that is, every person intended to be charged on the trial of such petition, with any offence alleged in the petition, "to attend and cross-examine any witnesses before this Committee, for the purpose of criminating such person, or to adduce evidence for the purpose of answering such charge;" the manifest intention of that resolution was not to make you a defendant on the general charge against the borough, but only to constitute you a defendant in the particular charges against yourself, and therefore you must not understand that resolution as giving any protection to you, appearing in the character of a defendant; have you considered that resolution in that shape?—I have; I will state how I have considered it, and it is not upon the ground alone that cases may be brought against me, but there have been cases brought against me of bribery, and if any link in the chain should be left out, and by my evidence be brought home, that would saddle me with the penalties that these allegations may incur.

6450. Then you do not object, before this Committee, to be examined, because you are a defendant only, but because you are afraid that, in the course of your examination, questions may be put to you, the answers to which may tend to criminate yourself; have you any objection to answer questions which you were previously told relate only to former elections?—I have no objection to answer questions which relate to former elections, but I do object to answer any question connected with the last election.

6451. Then, if this petition contains statements with reference to former elections, you have no objection to be examined as a witness, with reference to this petition?—Not with reference to this petition on former elections.

6452. When you say that you object to answer any questions put, with reference to the last election, do you mean to say that you are constituted judge of whether they criminate yourself or not?—I was told so in the House last night.

6453. You do not think the Committee are to decide?—I should feel myself well in the hands of the Committee, but I conceive that I am to judge.

6453**Chairman.*]—The Committee consider that any witness has power to take objection to any question that he conceives may tend to criminate himself; but it will be impossible for the Committee to give up that, so far as to leave that for the decision of the witness; that right, of course, the Committee would not forego, but at the same time it would leave you in no worse situation, if you became a witness, not answering questions criminating you, than you would be by refusing to answer any questions before the Committee, if they chose to report that conduct?—With all due deference for your opinion, I think that I should stand in a worse situation on this account, that I should stand as a witness refusing to give evidence, and now I stand as a person refusing to appear as a witness.

6454. Do you refuse to give any answer to any question whatever?—I do.

6455. Do you refuse to answer any question relative to the last election?—I do.

6456. Do you refuse to answer any questions relating to former elections?—I do not.

6457. On what ground do you refuse to answer any question with respect to the last election?—Because I am accused of certain crimes; because I have certain accusations brought against me before the honourable Committee with reference to the last election.

6458. On the ground that those answers may criminate yourself?—Because I am prepared to defend myself in a court of law.

6459. Supposing this petition contains such an allegation as this, that after the commencement of every Session of Parliament it has been usual for Members just elected, and also for the unsuccessful candidates, to pay a sum of two guineas to such voters as applied for it; should you refuse to answer a question with reference to that allegation, referring to former elections a long period ago?—I cannot

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not answer any question with respect to the last election on that point, with regard to former elections I should not object.

6460. If another allegation is, that the town was kept in a state of nightly excitement during the elections?—I have no objection to answer that question with respect to the former elections, but not on the last.

6461. Do you recollect that the Chairman informed you that you were bound to answer all questions that have not a tendency to criminate yourself, and that when you considered that any question might directly or indirectly tend to criminate yourself, you may apply to the Committee to know whether you are bound to answer that question?—Yes, but I should also give the reason why I refuse the answer, not because it may criminate myself, but because accusations have been brought against me, and I am not willing to inform the prosecutors of the means which I mean to take to defeat the prosecution.

6462. Under the circumstances of the case, would you object to place the Committee in the possession of any facts with which you are acquainted with respect to the proceedings of the adverse party in the last election?—I beg to decline answering any question on the last election.

6463. You said that you thought that the first question which was asked you, whether you were a voter or not, was liable to objection because it was started last night; will you state to this Committee whether the objection to answer the questions that were put to you arose in any degree from the nature of that first question, whether you were or were not a voter?—Certainly not.

6464. Are you aware that the Speaker informed you that you are bound to submit to be examined by the Committee without prejudice to your right to object to any question the answer to which may criminate yourself?—I am aware of it.

6465. Do you consider that by answering any questions with reference to the last election you would impair your own means of defence against the charges that may have been or have been brought against you?—I do.

6466. Do not you consider that such impairing of your means of defence would amount, in fact, to criminating yourself?—No, I do not think that; I am not afraid of crimination.

6467. Are you not of opinion, that that would facilitate the means to the other party of criminating yourself?—That is the ground which I take.

6468. Then your objection is, that you find that there has been a charge made against you of committing offences at the last election, which charge you think might be supported by means of your evidence?—Yes.

6469. You think you cannot give a single answer to a single question but what might have that tendency?—But what might fill up some link of evidence that might be required.

6470. And you do not leave the Committee to judge of the tendency of the question?—I cannot do that, with all due deference to the Committee.

6471. Then you call for the judgment of the Committee on that ground, that your conduct has been so much involved in the last election that you cannot safely answer any question?—It is stated in the evidence that my conduct was so much involved.

6472. Have you had any agent in the room to take notes of the evidence?—I believe there is a general agent.

6473. Have you had an opportunity of knowing the evidence taken before this Committee, so far as it concerns yourself?—I cannot say that I have seen the evidence, except as far as I have heard.

6474. Did you learn from the other persons the nature of the evidence?—No, I do not think I did; but I have heard from different parts that charges have been brought against me.

6475. Did you not sign a letter, in conjunction with four other persons, assigning an agent?—Yes; three or four signed a letter to that effect.

6476. Were you a voter in the election of 1832?—I was.

6477. Were you a voter at former elections?—I believe in 1827 I became a voter.

6478. At how many elections previous to the last have you been a voter?—I think two only.

6479. Are you aware that at the previous elections of which the Committee are now speaking there were payments of money made to the voters after the election generally?—There was not at Colville's election.

6480. Specify

6480. Specify the elections of which you speak?—I think it was 1832, the immediate election after the Reform Bill.

6481. December 1832?—Yes.

6482. Was there at the election previous to that?—There was.

6483. Did the same sort of procession and intoxication exist at the previous elections as existed in 1832; was there any intoxication at the one in 1832?—What I recollect of it, there was always the same sort of thing going on, at the same public houses and so on; persons eating and drinking.

6484. Public houses were opened?—Yes.

6485. Both at that election and at the former one?—Exactly.

6486. Do you know of any acts of bribery by any one at those former elections?—I never knew of any acts of bribery.

6487. Have you any information at all to give to the Committee with reference to any bribery at those former elections?—No, I know nothing of my own knowledge.

6488. Was the vote money paid at former elections?—It was.

6489. Do you know the amount?—Always the two guineas, excepting in the election of Colville, when Colville stood alone against Anson and Rumbold.

6490. When was this?—In 1832, I think.

6491. Are you aware to what extent treating took place?—I have no idea; I had nothing to do with money transactions.

6492. Was it greater or less than at the last election?—I should say greater.

6493. Do you believe that a certain class of voters received it generally?—Most certainly; and in Colville's election a large sum of money was advanced on behalf of the two guineas by the other party.

6494. Was that in 1832?—Yes.

6495. By which party?—By Anson and Rumbold.

6496. Then if the Committee understand you rightly, previous to the passing of the Reform Act, both candidates, whether they won or lost, were in the habit of paying the two guineas?—Always.

6497. How do you know that that sum of money which you allege to have been advanced in 1832 on account of the vote-money by Messrs. Anson and Rumbold, was so advanced?—By evidence, by witnesses; I know it by evidence taken from parties who received it; I did not receive it myself.

6498. You know it from the declaration of the parties who received it?—Yes.

6499. Do you recollect at what period that was paid, supposing the election to have taken place in December 1832?—I believe it was about two or three months after the election; there was no definite period; those parties who wanted it plagued the persons for it; some got 10*s.* on account, and some got more, and some got the whole.

6500. Do you think if such a payment had taken place, Mr. Barth or Mr. Shelley, who conducted the affairs of that election were cognizant of it?—Mr. Barth was applied to for it.

6501. You are alluding to the election after the Reform Bill?—Yes.

6502. Was this a general payment, or a payment in isolated cases?—I cannot speak positively upon the general case; I can only say this, that certain individuals have stated that they received part of the two guineas upon that account.

6503. Are you not aware that great complaints have been made against the Blues and against the Reds, for not having paid the money in the way it was formerly paid subsequent to the former election?—Yes.

6504. Is not that the evidence that some change took place?—Yes, certainly, a change took place in 1832.

6505. Then it was not paid in the same sort of way as it was on former occasions?—Yes; if there have been exceptions, this is the only exception.

6506. How many individuals do you think have stated to you that they ever received that money?—I should think not more than three or four.

6507. Did they say that it was two guineas, or in part payment of the two guineas?—In part payment of the two guineas.

6508. Did they name the sums that they had received?—One named 10*s.*

6509. You understood him to expect a further payment?—Yes.

6510. Will you give the Committee the name of the individual?—Bowles.

6511. What is his christian name?—I do not know.

6512. What is his trade?—A labourer.

6513. A bricklayer's labourer?—No; I think he was formerly a twine-spinner; he is a corn-porter, or something of that sort.

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6514. Have you ever known at any former election certain houses open without limit to freemen for taking drink?—Never.

6515. What is the system that has been pursued in giving drink?—I do not know that I could state that, because I know only from hearsay.

6516. Can you state what expense was incurred by Sir Charles Colville at the election to which you have alluded?—No, I cannot.

6517. Can you give the Committee any idea of it from the vouchers that have come under your notice?—I have never had any vouchers come under my notice.

6518. Are you acquainted with the expenses of the election in 1830, in which Messrs. Campbell and Preston were candidates?—Not at all; that was the first election at which I voted; I have never had any money transactions.

6519. In 1831, Messrs. Colville and Bliss, Anson and Rumbold were the candidates; are you aware of the amount of expense incurred by the parties upon that occasion?—Not the least in the world.

6520. Do you know whether it has been the custom to give ribands to any great extent?—It has been the custom to give ribands, and in the election (that I can state of my own knowledge) of Campbell and Preston, it was particularly stated, and I believe I may state by Sir Edmund Lacon, that they could not legally give ribands, and it was objected to; and I believe that we may attribute in a great measure the unpopularity of our cause to not giving ribands till after the Blues had done it; because when we went to give out ribands, there were none to be had in the town; that I can state of my own knowledge.

6521. And that appeared to give a very preponderating force to the Blue interest?—Most decidedly.

6522. Have any riots taken place in elections of your own knowledge?—Yes.

6523. A great many windows have been broken?—A great many.

6524. A great many heads broken?—No, I do not know of that.

6525. Has any body ever lost his life?—No.

6526. But blood has been shed?—Yes.

6527. Can you give the Committee any idea of the circumstances in which houses have been attacked?—Yes; I think in one house Mr. Paget was attacked by a kind of battering ram, which stove the whole frame of the windows in.

6528. Is this a shop?—No, he is a private gentleman.

6529. Were the doors driven in?—No, only the window frames driven in.

6530. Were there any other houses in the same situation?—I believe my father's was the same; that was the election of Colville.

6531. Colville was twice a candidate?—Yes, Colville and Bliss, and then Colville alone.

6532. Are you alluding to the election in which he was a candidate with Bliss?—No, alone. I know that in my father's house every one of the windows was knocked out.

6533. Were there any other houses attacked?—Yes, we were all attacked more or less.

6534. Have any instances of intimidation come under your notice in former elections—threats to parties?—No, I do not know that of my own knowledge.

6535. Have you lived in Yarmouth all your life-time?—I have not lived there all my life-time.

6536. And you state that prior to the Reform Bill it was matter of notoriety payment of this money?—Always.

6537. On both sides?—On both sides.

6538. Was there any limited sum?—Two guineas always; and I can add, of my own knowledge, that when Mr. Colville came down to Great Yarmouth, it was particularly specified, whether he lost or won, that he should pay the two guineas to the persons who solicited him to come forward.

6539. Was there any particular time after the election that this was paid?—No particular time.

6540. Which of Mr. Colville's elections was it?—When he stood alone.

6541. Was that in 1832?—I think it was December 1832. It was immediately after the Reform Bill.

6542. You said that it was some time after the election; could you fix any time?—I cannot, some paid earlier and some paid later.

6543. Was any payment made within 14 days?—I should say not, but I cannot positively state.

6544. The

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6544. The payment might be within three weeks?—I should say that it was never within so short a period as that.

6545. In which election of Mr. Colville's do you mean that he made that stipulation, that a sum of two guineas was to be paid whether he lost or won?—In 1832.

6546. Did he pay it?—He did not pay it.

6547. That was the first election after the Reform Bill passed?—Yes.

6548. The vote-money was not paid after that election?—No, it was one of those exceptions which occurred in 1832.

6549. Do you know why that vote-money was not paid in Colville's election?—I really do not know.

6550. Do you know whether any reason was alleged for it?—No; I can only say this, that Mr. Colville would have paid it if we had pressed it.

6551. Do you believe that the vote-money was paid by the opposing party, by Rumbold and Anson?—I think not. I think that there were portions paid and portions not paid.

6552. To what amount?—It is impossible to say; I believe that some got 10*s.* in Yarmouth.

6553. Do you suppose a dozen voters got it?—I should think a hundred, but I cannot prove it.

6554. Were there more than 50?—To my belief there were.

6555. You understood it to be a stipulation on the part of the supporters of Sir Charles Colville, that he should pay that money if he meant to represent Yarmouth?—Certainly it was.

6556. Did Sir Charles Colville pay any of the money?—No.

6557. Are you acquainted with a person of the name of Gardner?—I cannot answer that. Do the Committee mean to ask that question in reference to the last election or previous elections?

6558. The Committee do not fix any particular time at all?—Then I decline answering the question.

6559. Did you, before the last election, know a person of the name of Gardner?—I have always known a family of the Gardners in Yarmouth.

6560. Do you know whether, on former occasions of elections, many of the freemen are absent at sea?—Yes, always.

6561. Do you know whether those men have received the two guineas, according to the interest in which they usually voted?—I should say so, but I cannot speak positively.

6562. Do you think it would be paid to their wives and their families?—Yes, I think it would.

6563. Do you consider that two guineas as a remuneration for past trouble, or a retaining fee?—As a remuneration for labour; it was paid alike by the winner and loser.

6564. You have stated that at all the elections, prior to the Reform Act, there was a general custom, notorious in the town of Yarmouth, of paying vote-money to the freemen?—I have always understood so.

6565. The Committee are going to the last election: Was that habit of paying vote-money revived at the last election?—That is a question which one would not wish to refuse to answer, but upon the grounds that I have before stated, that I cannot consent to be a witness on this transaction, I therefore refuse.

6566-7. You object to answer that question?—I object to answer any question connected with the last election.

6568. Do you think any answer to that question might facilitate the means of criminating yourself?—I am not afraid of crimination; it cannot criminate me.

6569. Do you understand the word "criminate" to prove you guilty of the charge?—It cannot prove me guilty of the charge.

6570. Does the word "criminate" imply that to the full extent of the word in your mind?—I think that any answer I may give, although it may not bring me to one particular point, and thus prove any accusation, it may indirectly touch upon such points, and do me injury.

6571. You consider that it may expose you to charges which you may have trouble and expense in defending yourself against?—Yes.

6572. That it may afford means of bringing charges against you, whether those are true or false, which you may be compelled to resist?—Yes.

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6573. And you think all questions with reference to the last election have more or less that tendency?—I do not know any question that will have a tendency to criminate me, but I conceive that I have been brought here to give evidence, and I was willing to give evidence independently of this, that I was warned that I should be accused; and I have not only been warned, but I have been accused, and standing here accused of divers crimes, I cannot conceive that I am liable to answer certain questions which might complete the link of evidence against me. I was told last night in the House that I could be the only judge.

6574. When you say that you object to a question which may tend to criminate yourself, do you mean to say this, that that question would tend to prove you guilty of the charge, or tend to bring an accusation against you in such a shape as you would have trouble and difficulty, and expense in the necessary processes of refuting that charge?—That is the point.

6575. You have stated, that prior to the Reform Act there was a notorious custom of paying vote-money to the lower classes of freemen; and you have gone on to state, that that habit was in part discontinued in the first election after the Reform Bill: was that custom revived at the last election?—I beg to submit that that is a question which I cannot answer.

The committee-room was then cleared.

After some time the parties and the witness were called in, and informed that the witness Edward Harbord Lushington Preston having stated to the Committee that, in his opinion he cannot answer any question relative to transactions at the last election, without incurring a certain risk of criminating himself, it is the opinion of the Committee, on the consideration of the evidence already received, that any answer relative to transactions at the late election, complained of in the petition, may have a tendency to criminate himself; and that therefore his objection to answering any such question is justifiable, on the ground alleged by the witness.

Mr. *Pritt* stated, that he did not intend to impeach the credibility of any of the witnesses who had been examined on Tuesday or Wednesday.

Mr. *Pritt* stated that he had ascertained, that since yesterday Mr. Youell, one of the partners of the firm of Lacons, Youell & Co. had arrived in London, with certain books, and extracts from other books; that amongst the latter was a copy of an account standing in the name of Mr. John Edward Lacon, in the Interest Ledger, with respect to which he was instructed to say, that in the ledger from which such copy was taken, the name of John Edward Lacon appeared to be written on an erasure; that the words erased had been "W. M. Praed," and the erasure took place in consequence of a determination of the partners, made some years since, that no account relating to election matters should be opened with the bank. Mr. Pritt added, that he had made this statement for the purpose of showing that there was no desire to withhold any information from the Committee, and that it might not be supposed that such erasure had been made for any purpose of concealment.

Edward Youell, Esq., called in; and Examined.

Edward Youell, Esq.

6576. YOU are a banker at Yarmouth?—Yes.

6577. And a partner in the firm of Sir Edmund Knowles Lacon & Company?—Yes.

6578. Do you produce certain books of that house?—I have two ledgers here.

6579. Will you state what documents you produce?—I have two ledgers and some letters.

6580. A statement has been delivered in relative to an erasure in one of your books, is that book here?—No.

6581. What book is that?—It is called the Interest Ledger.

6582. Have you brought with you an accurate transcript of that book or of that account?—Yes, I have.

6583. What account in that book have you brought the transcript of?—It is under the head of J. E. Lacon.

6584. Will you produce the transcript?—

[*The*

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[*The Witness produced the Account, which was read, as follows:*]

Dr. J. E. Lacon.

1835.		£.	s.	d.
April 1.	To Dispensary	2	2	–
2.	– Library	3	13	6
6.	– Cash	300	–	–
8.	– Ditto	300	–	–
–	– Sub Charity School	1	1	–
29.	Cash	300	–	–
May 1.	Ditto	100	–	–
4.	Ditto	150	–	–
13.	Ditto	100	–	–
22.	Horticultural Society	–	10	–

6585. Did you make the transcript that is now produced?—I did.

6586. Is it a true and full copy of the account in the book?—Yes, I am willing to swear to it.

6587. Are there any other erasures in that account but that which has been spoken of in the heading?—No.

6588. Any alteration of any kind?—No.

6589. Does that copy exhibit the form as it now stands, "J. E. Lacon?"—It does.

6590. Will you state the circumstances, if you know them, under which that erasure was made?—Perhaps in the first instance the account was under the head of "Mr. Praed," and I have always an objection to accounts of candidates or Members being in our books; and I stated to Mr. Lacon that the money was not paid, and I conclude from that that he caused the erasure to be made and put it under his own name.

6591. Was it made by him?—By his directions.

6592. Do you know the person who made the erasure?—Not exactly.

6593. Have you seen the erasure?—Yes.

6594. By whom do you believe that the writing upon the erasure was done?—I think it was done by Mr. Stag.

6595. Do you know the amount entered under the head of cash?—£.1,257. 6. 6. is the sum total; 1,250*l.* is the amount of cash.

6596. It has been stated that that alteration took place in consequence of a long standing rule in your house, that you would have no election account; is that so?—Yes.

6597. How long has Mr. Stag been a clerk in the bank?—Many years.

6598. Do you know in whose hand writing the entry originally was, that which has now been erased?—No, I do not know.

6599. Have you any means of ascertaining that?—None.

6600. Then the only person who could inform the Committee of that would be Mr. Lacon or the gentleman who wrote upon the erasure?—I should think so.

6601. Have you more gentlemen than one of the name of Stag in your service?—No.

6602. Is his name William Stag?—No, James Stag.

6603. Have you any other accounts standing in your books that you believed to have had reference to the election of 1835?—There is another account, Mr. Lacon's private account, where there are some transactions that I consider relating to the election.

6604. Of the same Mr. Lacon, John Edward Lacon?—Yes.

6605. Have you brought that account?—I have.

6606. Is that the original account?—This is his own private account.

6607. Is that a copy or an original?—An original.

6608. Is that a ledger?—Yes.

6609. And that is necessarily a transcript of the original entries from other books?—This is a transcript from the cash book.

6610. Do you know of your own knowledge that the sums to which you are about to speak as entered in Mr. John Edward Lacon's account were sums of money which had reference to the election?—I consider that they are.

6611. Of your own knowledge?—I think I may say that I do know.

6612. Will you state what the items in that account are, and the amounts of them, and the dates; do the whole relate to that?—No it does not all relate to the election, I consider; on the 30th of March there are 400*l.* taken out in cash.

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6613. Is that the earliest date of any sum of money, as far as your knowledge goes, in your books entered of that account or any other in 1835?—I consider that the earliest date as regards Mr. Lacon's private account; there is another entry of the 3d of April, 120*l.*, that I am not able to speak to.

6614. You are uncertain as to that being connected with the election?—Rather uncertain.

6615. Will you proceed?—Tenth April, 300*l.* cash.

6616. Have you any doubt about that?—No; 29th of April, for T. Baring, 500*l.*

6617. Are you reading the debtor side or creditor side?—The debtor side.

6618. What is the next?—I think there are no other payments on that account.

6619. What are the receipts on that account?—The receipts on the 26th of March, by Esdaile & Co. or we call it per E. & Co.; in this account are 500*l.*; 3d of April, 200*l.*

6620. Is that per E. & Co.?—Yes. Again, 7th of April, per E. & Co. 300*l.*; the 28th of April, 550*l.* per E. & Co.; that is all.

6621. Were those sums that were drawn out, drawn out by Mr. John Edward Lacon?—Yes.

6622. Have you the cheques by which he drew them out?—There were no cheques.

6623. How were the receipts which you have mentioned passed into your hands by letter?—Yes.

6624. Have you those letters that accompanied the remittances?—I have.

6625. Are those sums of money which you have last mentioned as being in the private account of Mr. John Edward Lacon, distinct from the account which is headed first "Praed," and then "Lacon"?—They have no reference to that account at all.

6626. They are additional sums?—I have never received any on that account; those which I have been naming are credits. If we look at the other paper, there are no credits.

6627. Are the debits in that account in addition to those in the other account?—Quite distinct from them.

6628. Are the sums which you have been enumerating debits or credits?—The last that I have been enumerating are credits.

6629. You mean to state that 1,250*l.* was drawn out by Mr. Lacon out of the Interest Ledger, and the other sums are in addition to that?—Yes, they are.

6630. Have you those letters which you were asked for?—On the 26th of March, which was the 25th of March by our letter, there is a credit in our favour of Thomas Baring for Baring & Co.

6631. Does that letter contain advices on other transactions?—Yes.

6632. Will you read that portion of the letter, giving the date of it?—Letter from Esdaile & Co., dated 25th of March.

6633. To whom directed?—Sir E. Lacon, bart. & Co., Great Yarmouth. So far as relates to this sum of money, these words—"Thomas Baring, for Baring & Co., 500*l.*"

6634. Is the meaning of those words that Esdaile & Co. inform your house that they remit that money by order of Thomas Baring & Company?—Yes, on account of Thomas Baring.

6635. You understand the meaning of that communication to be that that sum of money has been sent on account of Thomas Baring through Esdailes?—Yes.

6636. Is it that there is a payment made by Thomas Baring & Company to the bankers in London, on account with the bankers in Yarmouth, which advice is sent from Esdaile & Company to Lacons & Company, saying, "we have received this day, on account, 500*l.*, which we place to the credit of Thomas Baring with you"?—Yes.

6637. What is the next?—On the 2d of April, Esdailes' advised W. M. Praed, for Praeds & Co., 200*l.* On the 6th of April, Thomas Baring, for Baring & Co., 300*l.* On the 27th of April, Thomas Baring, for Baring & Co., 550*l.*

6638. The dates of each of those payments appear to be and are one day antecedent to the day which appears upon your ledger-book, allowing for the transmission by post?—Yes, those entries are placed to Mr. Lacon's account.

6639. Those are in fact what you have given before?—Yes.

6640. Will you have the goodness to state what other accounts relating to sums of money, in connexion with that election, appear in your books?—I have been giving an account of the payments made in London, which are placed to Mr. John Lacon's

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Lacon's account. Now there are some other payments which are not placed to his account, but appear to have been taken up by cash, as it was remitted.

6641. Will you state those other payments, the dates and amounts first?—The 24th of January, 500*l.*

6642. From whom?—They are all the same, from Esdaile & Co.

6643. Who paid this?—W. M. Praed, for Praeds & Co. 500*l.*; that is the one I am now speaking of.

6644. That is not carried to either of the accounts?—No; on the 2d of February W. M. Praed, for Praeds & Co, 50*l.* I am not going to say that this is an election account, but it may be his private account, as taking up cash for his own use; the other I consider as an election account. On the 2d of May, there is Thomas Baring, for Baring & Co., 100*l.*

6645. Is that all?—Yes.

6646. Have you any other accounts than those you have named, the last three sums you have just given, the account headed J. E. Lacon, and that account which is before the Committee, which you believe have reference to the late election?—We have received drafts that are distinct from any thing of this kind, and money taken for it.

6647. Will you have the goodness to state what you have received?—[*The Witness inspected a paper.*]

6648. Is that a copy of the account?—No, it is an extract from the bills that are paid in.

6649. Bills paid in to your bank at Yarmouth?—Yes, they give a draft and we give cash for it.

6650. Will you read it?—December 11th, 1834, W. M. Praed, 100*l.*

6651. Those are sums received by your bank?—Those are drafts received by our bank and value given for them.

6652. Upon whom were the drafts drawn?—I believe they were drawn upon Mr. Praed & Co.

6653. In both cases?—Yes, in both cases.

6654. Were they acceptances or drafts which you had to send up?—They were cheques.

6655. By Mr. Praed on Praed & Co.?—Yes.

6656. You are speaking of the first only?—I am speaking of the first item, the same date, the 11th of December, Thomas Baring, 100*l.* on Baring & Co.; 20th December there is Thomas Baring again, 100*l.*; 22d December, W. M. Praed upon Praed & Co., 30*l.*; those small sums I cannot say positively are election accounts.

6657. Do you think they were?—No, I think they were not; but I gave them all in.

6658. You think the 30*l.* last mentioned was not an election account?—I do. January the 6th, 1835, W. M. Praed again on Praed & Co. 500*l.*; and the same date, Thomas Baring & Co. to the same amount, 500*l.*; and there is upon the 13th of January an item for 50*l.*, which I think is not on account of the election. The 15th of January, Thomas Baring upon Baring & Co., 400*l.*; 24th of January, Baring again, 520*l.*; February the 2d, Baring again, 100*l.*; that is all.

6659. Have you now stated the whole of the sums which you believe to have passed through your house on account of the election?—Yes.

6660. The whole?—Yes.

6661. Will you state who drew out the sums which you have just mentioned; were they all drawn by Mr. Lacon?—I believe I may say all of them.

6662. Are you sufficiently competent to pass that as an answer?—Yes, except that I am uncertain whether they were on election matters or not, those smaller sums.

6663. Except those smaller sums which you have a doubt upon, were they all drawn by Mr. Lacon?—Yes.

6664. Were the last sums remittances to your house?—Not what I have been naming, because I mentioned that they were drawn by the two gentlemen; they were brought to us.

6665. Did you receive them in a letter, or were they drawn and brought to your counting-house?—They were drawn and brought to our counting-house.

6666. By whom?—By Mr. John Edward Lacon.

6667. Do you know any thing more than that he brought those sums, and that they were drawn out by him?—No, they were paid to him, that is, as far as I know; I know no further.

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6668. That you received from him the latter sums, and the others in the way you mentioned, and that all were paid through or to him?—Yes.

6669. Is that the whole of the information that you can give to the Committee with respect to the account relative to the election?—It is.

6670. Or to any sums of money which had been applied with reference to the late election?—Yes.

6671. So that there is nothing which you know of your own knowledge which the Committee do not know from you?—There is not any thing that I am aware of.

6672. Did you yourself pay any money to a man of the name of Green?—No.

6673. Have you changed any notes at your bank of a large amount, or of any amount for Green?—I do not know; I am not always at the counter.

6674. Have you yourself?—No, I have not.

6675. Do you keep a remittance book when you remit to the town agent; do you take the number of the notes which constitute the parcel remitted?—No.

6676. Has Sir Edmund Lacon & Co. no book, in which they take the numbers of the notes remitted to Esdaile & Company?—Of the small notes, five and tens, we do not take any numbers; of the larger ones we take the numbers.

6677. If you had at any given date sent a parcel to your town agent, in which were contained Bank of England notes, you would keep on your books the number of those notes?—Yes, we do at times take numbers of notes.

6678. That applies to the large notes?—Yes, and occasionally to the others.

6679. Would there be any entry in your books supposing you had changed a note of 50*l.* for the sake of a case to a man of the name of Green, by which it would appear that that note had been changed for Green?—No, I do not think it would appear in that shape as paid to Green or any body else, we may say changed 50*l.* a Bank of England note.

6680. If a person came to your counter to ask a month afterwards, whether Green changed a note on a particular day, your books would not show it, and unless your recollection supplied it, you could not assist him?—No

6681. Has any such conversation as this taken place between you and another gentleman relative to the last election about the vote-money; that you met a gentleman in the street, there you were asked where you were going, as you stood up out of the rain, and that this conversation took place, are you going to the committee, the question is to come on to night whether the vote-money is to be paid, and I am going there, and that you said that, or that the gentlemen with whom you were speaking said, that to you; is there any foundation for that statement?—I know nothing about it.

6682. Have you any recollection of any such conversation?—No.

6683. Were you present at any such committee?—No.

6684. Where such questions passed before you?—No.

6685. November the 11th is the earliest date in which any sum appears as connected with the election?—I think that is the earliest date.

6686. You believe prior to that time no sum passed connected with the election?—I believe so.

6687. On the 26th of April there appears to be a draft lodged with Esdaile & Company for 550*l.*, was the whole of that drawn by Mr. John Edward Lacon?—No; 500*l.* was remitted to Baring.

6688. Only 50*l.* was remitted to Mr. John Lacon?—Yes.

6689. With regard to sums deposited in the bank of various amounts, do you know how much was devoted to election purposes, and how much to the private purposes of Praed and Baring?—I cannot say.

6690. You had no precise knowledge upon the subject?—I have not.

6691. You say the sum was remitted back to Baring & Company, have you a copy of the letter remitting that back?—Not with me.

6692. Have not the house in your letter book?—No, I have it not; at all events they have it, I dare say, in their letters.

6693. Will you transmit a copy of that letter remitting that sum of money to Baring & Company?—I will, on the 29th it was remitted.

6694. Was it remitted direct to Baring & Company?—Through our bankers.

6695. Will you state the circumstances which led to that transmission back?—By direction of Mr. Lacon.

6696. There was no letter from any person to your house stating that the sum of money was not wanted, or was to come back?—No.

6697. The moving cause, inducing the transmission of that money back was Mr. Lacon's desire?—Yes, and his order.

6698. Was

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6698. Was that communicated to you at the time?—Yes.

6699. What did he say?—"Remit five hundred pounds." I must be excused if I should omit a few words, but the substance was you will remit 500*l.* to Baring for Mr. Thomas Baring.

6700. Was that the whole substance of that communication?—Yes.

6701. You state that an account had been opened upon Mr. Praed, but that owing to the rules and regulations of your bank, it was your determination that no account should stand upon your ledger in connexion with the election; had you any other account opened at the time that that was open for Mr. Praed, also open for Mr. Baring upon your books?—No.

6702. There is no account which has similar relation with regard to Mr. Baring?—No.

6703. Will you state to the Committee, whether as the erasure took place in the ledger respecting Mr. Praed's name, similar erasures have taken place also in your waste book, your cash book, or the intermediate books from which you post your entries into the ledger?—Yes, they are altered.

6704. They took place simultaneously?—Yes.

6705. Can you state to how late a period the name of Mr. Praed was kept open upon your ledger before the erasure took place?—I cannot say to a certainty; I think it was sometime in May, or the beginning of June.

6706. Would there be any payment as late as the 28th of April made on Mr. Praed's account, that should have been posted on that account while it still continued headed "Mr. Praed"?—Yes, I should think there would.

6707. You think the erasure continued till the end of May?—Yes, I think it did.

6708. The intermediate books to which you have alluded, would show that because if there was an erasure to the 1st of May in your cash book, that would establish the fact at once?—Yes.

6709. The Committee could be at once satisfied if they desire it from those intermediate books?—Yes, they could; but the inconvenience would be very great.

6710. Were those erasures made prior or subsequent to the commencement of this inquiry?—Prior to that.

6711. You are quite positive of that?—I do not know the time that the petition was, but this was at the latter end of May.

6712. Are you sure that it was prior to any talk of an investigation into the subject?—I should think it was.

6713. At the time of the payment of 100*l.* in the account which you have handed in under date, May 13th, is it your belief that the account in the ledger still continued headed "W. M. Praed," without any erasure?—Yes, I should say that it was.

6714. Your intermediate books would corroborate that?—Yes.

6715. When was the account with Praed's name at the head of it, first entered in your books?—The 4th of April.

6716. That was the first time that Mr. Praed's name ever appeared in your books in account with your bank?—Yes.

6717. And remained there certainly from the 4th of April till the 13th of May; is that so?—Yes, certainly.

6718. And you do not know how much longer?—No, I think it was to the close of May.

6719. It has been stated by a gentleman of the name of Barber, that he drew cheques upon your bank; are the sums that he drew for included in the sum that you gave in?—I should think so; I am not aware of his having drawn any cheques.

6720. He stated that either Mr. John Lacon, or some of the clerks in the bank paid him certain sums of money, but that when Mr. Lacon was absent, he occasionally drew two or three cheques?—That may be the case, but I am not able to answer the question; if he took any money up, that was repaid by Mr. Lacon.

6721. Then they would probably appear in the accounts which you have given in?—Yes, as money paid to Mr. Lacon.

6722. Have those accounts, as put in by you on both sides, been subsequently balanced and transferred from your books, or is there any balance outstanding upon them?—As far as regards this account that has been erased.

6723. In what way is it carried out in the books?—It is not discharged; that is the literal copy of the account that I gave in.

6724. Are those accounts of small sums, which are intermixed with the cash between the 6th of April and the 12th of May, for subscriptions to different charities,

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rities, to schools, and to the Horticultural Society, and *bonâ fide* subscription payments, by Mr. John Lacon, or on his account?—They are not on his account; they were made while it was under the head of Mr. Praed.

6725. Is Mr. John Lacon a partner in the bank?—Yes.

6726. Has he not an account on your books for sums which he draws on his private account?—Not independent; the account is together.

6727. Then are the Committee to understand, that, mixed up with the sums which you have stated to them, are sums which were *bonâ fide* drawn by Mr. Lacon, for his own personal expenses, in the months of April and May?—Yes, there are several entries which are *bonâ fide* upon his own private account.

6728. Totally independent of the election?—Yes.

6729. Then the Committee are to understand, that several of those sums which you have stated as belonging to electioneering expenses, have been brought into the account which was kept open in Mr. Lacon's name, and through which he passed his personal expenses, but that now they are mixed together?—Yes, they are always mixed together.

6730. And from that account the items selected are those upon which there is no doubt of the nature of them?—What I have stated, I think there is no doubt there are some smaller sums, that I am not able to say.

6731. Mr. John Lacon's account during those months is so much larger than usual, that it can leave no doubt on any partner, who has access to the books, that his account had been swelled by some extraneous account, and that it was not *bonâ fide* a register of his expenses?—Just so.

6732. Did Lacon & Co. keep the account of Mr. Colville?—I am not aware.

6733. Did any advance stand in your books on his account at the time he was candidate?—I cannot say that there was any.

6734. Is there any account of Mr. Colville's in Lacon & Co.'s ledger?—I believe not.

6735. Is there any account headed Mr. Bliss?—No.

6736. Through whose hands did the expenses incurred in Campbell and Preston's election pass?—I do not know who paid them, I am sure.

6737. Had Sir Edmund Lacon & Company ever any money transaction with Mr. Campbell or Mr. Preston, who stood candidates for the borough of Yarmouth in 1830?—There were monies advanced for Mr. Preston and Mr. Campbell.

6738. And in whose names does that account stand?—In Preston and Campbell.

6739. And up to this day?—I believe so.

6740. By reference to the index, would that show when the account was opened?—No.

6741. What reason do you assign for their names not being erased in the like manner?—That was the reason; we found so much difficulty in getting the money, and we determined not to have any thing more to do with it.

6742. Then the effect has been to make some known individual responsible for transactions under that head?—Yes.

6743. Is that the sole reason?—Yes.

6744. Has William Prentice, of Gorlestone, an account with Sir Edmund Lacon & Company?—No.

6745. Has William Green an account with Sir Edward Lacon & Company?—I think he has not.

6746. You do not know positively?—I think he has not.

6747. Cannot you see by the index?—No.

6748. By whose direction was the erasure made?—By Mr. Lacon's.

6749. Was it made by Mr. Stagg?—I think it is.

6750. Was there ever any account headed "Mr. Baring?"—Merely one; a small account of one hundred pounds, that was put in for a charity. There were two or three small sums paid first of all for the Dispensary.

6751. That was a mere private account, and not an election account?—That was no election account.

6752. There was no election account with Mr. Baring and Mr. Praed's names at all?—There was not.

6753. There was no election account before the 4th of April headed "Mr. Praed's account"?—I think am quite positive of that.

6754. The remittances that took place before the 4th of April, in whose names were they entered?—They were entered in no name, the monies were taken up at the time of being paid.

6755. The

6755. The previous account up to the 4th of April was not headed with the name of Praed, if there was any?—Not previously.

6756. You do not know how the previous account was headed?—Drafts were paid in, and cash paid for them; they were put to the account.

6757. It was the same thing as if a person keeping a cash account were to pay out a bill when it became due and receive the money for it?—Yes.

6758. "Cash" would stand the same as it did before, and you do not pass into the account and out again in the shape of cash; but so long as you have the same amount of cash the books remain the same?—Yes.

6759. There was no account kept before the 4th of April?—No.

6760. On the 24th of January 520*l.* was drawn out of your house by Baring & Co., will you explain how that sum was paid into your house?—A draft was paid in by Mr. Lacon, and he took value for it.

6761. What entries would be made in your books of that transaction?—Merely what we call an exchange.

6762. In the exchange would there be any reference to any London banker from whom the money came?—When we remit of course we should send this away with our other bills.

6763. Would it not appear in your letter-book to whom you remitted a certain sum?—Yes, it would appear against our banker.

6764. Would it not be stated on what house that cheque would be remitted in London?—Yes, that which it was drawn upon, Baring & Co.

6765. Supposing that a person were to come down to Yarmouth on Monday next, and were to call at your house and present a cheque, at sight, on the Bank of England or Praed & Co., if he were to ask you for some particular purpose to give him small notes for it or any other notes, would you hesitate to do it?—No.

6766. If you did that should you make any entry of the receipt of that draft from him and the payment of small notes in its place?—There is no posting into a ledger; we should have what we call an exchange.

6767. There would be no posting to show that an exchange had taken place, but your cashier would be answerable for all the transactions of cash during the day?—There would be an exchange made to prove that we had received 50*l.*

6768. But you would open no account with him?—Certainly not.

6769. Money was paid on the 24th of January for Mr. Praed?—No.

6770. Mr. Praed had an account in your books?—No.

6771. But a money transaction took place on the 24th of January?—Yes, money was paid; but there was no account.

6772. To what account was that money posted in your books; to Mr. John Lacon's account or not?—It was posted and charged to their bankers.

6773. It went into the running account between Lacon & Company and Esdaile & Company?—Yes.

6774. Do you apprehend at that time that Mr. Praed was in Yarmouth, and took cash agreeably to the advice of Messrs. Esdaile?—No, I do not think he took it; Mr. Lacon took it.

6775. Either he or Mr. Lacon took cash for that amount?—Yes, Mr. Lacon took it.

6776. Is there any account of "Praed & Beresford" in your banking accounts?—None.

6777. Had you any money transactions on account of Praed and Beresford?—No.

6778. You have used the word "erasure," do you mean erasure with a knife or obliteration with a pen?—Erasure with a knife.

6779. Is any clerk in your employment warranted or authorized by you, or by any other partner in that bank, to make erasures in any books under your charge?—No.

6780. Then this erasure could not have been made without the cognizance and direct order of a partner in that establishment?—Certainly not.

6781. How long is it since any other instance, in any other books, of any other erasure with a knife, having taken place with any account entered therein?—I am not able to say.

6782. Is it not considered, not only by bankers, but by all mercantile men, a highly irregular thing to erase with a knife any thing of so much importance as the heading of an account, or any item in an acccount, when once entered?—There may be reasons for it.

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6783. Would it not give rise to great suspicion in your mind, if, in looking over the books of your establishment that were made by a clerk, you found such an erasure?—I do not think it would; I can hardly answer the question, without seeing the circumstances.

6784. Is it not a more regular mode, when mistakes of that kind occur of much importance, instead of erasing an account with a knife, that a transfer should be made in the books to another account, and another account should be entered in the correct form?—It might be, certainly.

6785. Carrying the entries is under an improper head to the account, in which they might be opened under the head and title which that account should bear?—It would be more clear, and that would be the most correct way.

6786. And most strictly in conformity with the usage of all bankers and mercantile men?—Yes, I should say so.

6787. Whenever that erasure was made, was it, or was it not made with a view to this inquiry?—No, I do not consider that it was.

6788. Was it made by your orders?—No.

6789. In fact, was it not rather as a matter of prudence on the part of the partners, that a responsible name should appear, instead of persons against whom you could not enforce payment by law?—Certainly, and I stated before that I had an objection to candidates' names being in the book.

6790. When was it you first made that objection?—I should think that must be about the time that it took place; previous to that I had said that and when that was done I said it.

6791. That was an objection raised about the 4th of April?—Yes, I should consider it might be about that time.

6792. But the erasure was not made till about the 13th of May?—I think it was after that time; towards the latter part of May.

6793. Do you balance your books quarterly, or once in the year?—Every two months.

6794. Was it in consequence of any of those periodical balancings, or settlements of account, that the observation was made with reference to the impropriety of retaining the account headed with the candidate's name?—No, I do not think it was.

6795. You think it was a special objection?—Yes.

6796. Are there any particulars as to whom those payments took place, at the request, or on the behalf, or to John Edward Lacon saving any one of those small items, and the one described as "to F. Baring?"—There are none.

6797. Did you hear of any vote-money being paid at Yarmouth since the last election?—Yes, I have heard that there has been vote-money paid.

6798. Do you remember, at any time in particular, when you first heard of that?—No.

6799. Is there a small red book in the handwriting of Mr. Barber, with a cash account current, in possession of Sir Edmund Lacon & Company?—Not to my knowledge; I never saw one.

6800. You have no such book belonging to your establishment, and recognized as a book belonging to the bank?—No.

6801. Into whose custody would any of the documents relating to these accounts, which have been before the Committee, pass?—I do not think there are any.

6802. To that account particularly, the heading of which was altered?—There are no documents to that.

6803. Supposing any agent in Yarmouth had made out any books, containing statements of sums disbursed for election expenses, which were delivered into the hands of Mr. John Lacon; would they have come into your hands, or be in the cupboards of the bank?—They would be undoubtedly in his possession, the documents.

6804. They would be his mere private vouchers?—They would be his altogether; I know nothing whatever of any vouchers.

6805. If he wished to deposit them in safe custody he might place them in your lock-up room or in your iron safe, without it being considered that you had any thing to do with them?—Yes.

6806. And without any body having a right of access to them?—Yes.

6807. Did you look for any documents of that sort?—I did not particularly; I do not believe there are such things.

6808. Does Mr. Lacon take a part in the management of the bank?—Yes. *Edward Youell*, Esq.

6809. Has he a private desk of his own in which he keeps his own papers?—Yes.

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6810. The letters which you have produced to the Committee, as being received from your London bankers, are such letters as you have been in the habit of receiving daily from them in the transactions of money passing between you?—Yes.

6811. When such letters are receeived by you, are they consigned to the custody of the partners of the bank, or are they filed so that a clerk may have access to them?—They are under my care.

6812. And filed every day?—Yes.

John Edward Lacon, Esq. called in; and Examined.

6813. *Chairman.*]—IT will be unnecessary for me, for obvious reasons, to take up your time and that of the Committee with any observations such as I made upon a former occasion; it is my duty to ask you whether you are prepared to answer such questions as the Committee may think proper to ask?—I heard your Lordship make the observation to Mr. Preston, and I heard you tell him, and I appreciate the kindness of it, and I would say that I have no hesitation in giving evidence respecting the former elections, but I believe that there are parties who are ready to prosecute me, and I cannot give evidence to furnish a clue to them to pursue me; but any evidence, when I am saved by the law of Elizabeth I will give, and it is not from any contumacy or wish to offend the Committee; but I dare not give the evidence, because I know not what will be used against me hereafter. *J. E. Lacon*, Esq.

6814. Do you consider, in giving evidence with respect to any circumstances which have reference to the last election, you would unavoidably tend to bring yourself under charges which you might have a difficulty and expense in rebutting?—I should think decidedly it might assist them.

6815. Upon that ground you refuse to answer any questions?—I do decidedly.

6816. Any questions relating to the last election?—Yes; but I have no wish to show any contumacy to the Committee of course.

6817. Are you aware that you, yesterday, were admonished by the Speaker, that you were bound to submit to be examined by the Committee, without prejudice to your right to object to any question, the answer to which may tend to criminate yourself?—Yes, I am aware that I was so admonished.

6818. And you still, under those circumstances, refuse to answer any question?—Respecting the election of 1835.

6819. Under those circumstances do you still persist in refusing to answer any question relating to the election of 1835?—Yes I do; because I am not aware what my answer may lead me to.

6820. If there are any matters stated in any of the petitions referred to the Committee which relate to former elections or to circumstances unconnected with the election of 1835, do you object to appear as a witness before this Committee?—No, I shall be very happy to give any information that I know.

6821. You remember the circumstances of the election generally being within your own time previously to the Reform Bill?—The elections that I recollect in my own time were the elections of Preston and Campbell, and Colville and Bliss, those were the only ones before the Reform Bill.

6822. Do you happen to know whether vote money was paid on the occasion of those elections?—Not of my own knowledge.

6823. Have you any doubt of that?—I have no means of saying besides the common opinion; I was no party to it in any way, nor did I see it paid, but I have heard it so.

6824. Did any part of the cash expended by Colville, Bliss or Campbell, pass through Sir Edmund Lacon & Company's bank?—I should think it did.

6825. Was there no account?—No account.

6826. Either for Colville, Bliss or Campbell?—I think of Preston and Campbell there was, but not Colville.

6827. Is that account now standing?—It was closed.

6828. Was that in defiance of the regulation of the partners, that no accounts should be drawn in the name of candidates?—No overdrawn account; the

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arrangement was owing to a long quarrel with Dr. Lushington and the late Lord Suffield, as to getting the monies from them.

6829. And therefore the partners determined that they would have some responsible person for the agent?—Yes.

6830. Do you know whether any vote money was paid in the election of 1832?—I am not aware.

6831. Was there a general understanding that the money would not be paid by either party?—Not to my knowledge; I did not take an active part in the election.

6832. Has there been any rioting in any of the elections?—Yes, there has.

6833. A great many windows broken?—Yes.

6834. Some heads broken?—Whether they were broken or not, I saw them bleeding.

6835. How many?—Occasionally after a fight I have seen a man going with his head bleeding.

6836. Did you ever see any windows broken on former occasions?—Yes, we had our own broken.

6837. Do you know of any public houses being kept open during the elections to which you have been referring?—What they usually call open houses, certainly.

6838. Subsequently to the passing of the Reform Bill?—I should think in 1832 they were.

6839. On both sides?—Yes, I should say they were, from what I have seen going on.

6840. Did you see Mr. Praed canvassing the borough in the latter end of 1834?—As that question must lead me on to others, I think I must decline answering; I know that I must be led on to give a clue to my opponents.

6841. You object to answer that question?—Yes I do, upon that ground; the question itself I do not object to; I think I might object to it, because I might have been a party canvassing with him.

6842. You were asked simply whether you saw him canvassing?—I believe I did see him.

6843. You withdraw your objection to answering the question, and say that you did see Mr. Praed canvassing?—I said that I refused to answer because that the other questions may serve as a clue; if this is with a view to settle the point whether I am to be hereafter a witness I think I must decline to answer.

6844. Do you remember the resolution which was read to you on a former day, of being bound to answer all questions which have not a tendency to criminate yourself; and when you consider that any question may directly or indirectly tend to criminate yourself, you may apply to the Committee to know whether you are bound to answer that?—Then I will answer that decidedly.

6845. Did you canvass many times in company with Mr. Praed and Mr. Baring?—I believe I did, often.

6846. Did you take an active part in that election generally, on their behalf?—Yes, I believe I did.

6847. Were you the agent of Mr. Praed, in the conduct of that election, or of Mr. Baring?—I throw myself upon the Committee entirely.

6848. Do you object to that?—I do.

The Chairman stated that the Committee were of opinion that the witness was not bound to answer that question.

6849. Did you receive any sums of money in connexion with that election?—That I decline to answer. I throw myself upon the Committee.

The committee-room was cleared.

After some time the parties were called in.

John Edward Lacon, Esq.; called in.

The Chairman informed the Witness, the Committee admit the objection to the question that has been asked.

Witness.]—After those questions that have been put to me, I throw myself upon the Committee, whether it is possible I can answer any question which will not criminate me, more or less. I believe that I cannot answer any question but what will criminate me.

6850. You mean any question materially bearing upon the facts of the petition?—I mean, whether what I first stated is not borne out by the objections that

that I have already made, that I can hardly answer questions, with reference to the election of 1835, without giving my opponents an opportunity of pursuing me.

6851. Are you of opinion that you cannot answer any further questions relative to the tranactions at the late election, complained of in the petition, without incurring a certain risk of criminating yourself?—Not without incurring a risk of putting myself into the hands of my opponents.

6852. Are you willing to explain the items in the account in your banker's books, in which an erasure has taken place, and which has been put in before the Committee, a transfer of that account having been made to your own name?—I am not willing to explain the account.

6853. Will you state if you know whose name was originally written where your name now appears?—I object to any inquiry upon the account itself.

The Chairman stated that the Committee were of opinion that the objection was valid.

6854. Can you give any explanation to the Committee, relative to the transactions on which Mr. Youell has been examined?—I hardly know, as I was not present, what he has been examined upon.

6855. He has been examined as to various items received at the last election by the banking house of Lacon & Company; and he has stated that a certain account, which originally stood in some other name, and now stands in your name, J. E. Lacon, formed a portion of the items so received and disbursed by them?—I throw myself upon the Committee, whether I am to give an explanation of the account in any way.

6856. Do you object to answer the question, whether any of the items were in your handwriting?—I object to answer any of the questions upon the account.

6857. To any thing in connexion with the account?—Yes.

6858. Will you consent to answer this question, whether you do not consider it to be highly unmercantile and very irregular that any erasure should take place, of the nature that has been described, either in the books of your bank or the books of any other bank or establishment?—No.

6859. You do not consider it to be contrary to the mercantile rule?—There never was an authority to open it in that name in which it was at first opened, and therefore it was all done by my authority, the correcting it.

6860. Would you not consider it to be very irregular, if in the Bank of England a clerk of that establishment or the directors were to allow erasures at the head of their ledgers, and allow one name to be substituted for another?—Not with the sanction of the parties.

6861. Do you consider that the usage of the Bank of England or of any other well-regulated establishment, would sanction any such alterations by erasures?—I think it must depend upon circumstances.

6862. You think that a departure from the established usage might be justified by peculiar circumstances?—I do decidedly.

6863. Is it not the usual habit of a mercantile house, when an obliteration is to be made, that it should be crossed through with the same coloured ink or with different coloured ink, in such a way that the original name may always be seen?—No, I am not aware that it is so.

6864. Do you know any thing about vote money in former elections?—No.

6865. Do you know whether seamen at sea, at the time of the election, were entitled to the vote money on their return?—Only from what I have heard, not from my own knowledge; I have heard that they were.

6866. Or that their wives and families may receive it in their absence?—Yes, so I have heard.

6867. Whether they voted or not?—So I have heard.

6868. Supposing that you, as a banker, were called upon in consequence of a bad debt having been made, and a party having failed in your debt to investigate his books and accounts, would you not conceive that if you were in his books to meet with an erasure of the nature just referred to, it would cast a great deal of doubt upon the authenticity of his accounts?—Not if I got a satisfactory explanation.

6869. It would cast a *primâ facie* doubt, which would be removed by explanation afterwards?—Yes.

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6870. Is it not the usual habit in a banking-house, when a mistake has been made as to the name of any account to transfer it to a new account?—No; I should say if we had opened an account in the wrong name, we should scratch it out and put the proper name above it.

6871. The Committee understood you to say that you thought it would not be an irregular transaction, provided you had the sanction of the party?—I say if it was by the sanction of the party who opened it.

6872. Therefore you say, with the sanction of the party, you would not think it an irregular proceeding?—No.

6873. Had you the sanction of the party to making that erasure?—I never had the sanction of the party to the putting of the name.

6874. Supposing an account to be erroneously headed in a mercantile or banker's ledger, that items had been allowed to be posted into it during the period of two or three months before the error was rectified, would it not be necessary, if the name were altered in the ledger, to alter the name also in all the previous books through which those entries passed, in their way to that general record in the ledger?—Most decidedly.

6875. Do the Committee understand you to say that there has been an erasure?—No, I do not wish to answer to the accounts.

6876. You were answering upon a suppositious case?—Yes, the whole of the examination has been upon a suppositious case.

6877. But you mean to say that you do not think it would be irregular, provided you had the sanction of the party who opened that account?—No.

William Green, called in; and Examined.

William Green.

6877**Chairman.*]—YOU were admonished yesterday by the Speaker of The House of Commons; you recollect the terms of that admonition, that you were bound to submit to be examined by the Committee, without prejudice to your right to object to any question the answer to which may tend to criminate you. Are you prepared, upon that admonition, to answer such questions as the Committee may ask of you, subject to that power of objection which The Speaker informed you you still possessed?—Not relative to the last election.

6878. On what grounds?—On account of the implication alleged against me by different parties.

6879. You think you cannot safely answer any question on the last election?—Not but what may criminate myself directly or indirectly.

6880. Have you any objection to give answers to any questions that may be put to you having a reference to matters connected with previous elections, elections before 1835?—Not at all.

6881. You think you could afford such information as the Committee might require from matters that pass under your observation?—Yes, I could.

6882. Do you think there was more drink given at former elections previous to the year 1832 than there was in 1832?—No, I do not think there was.

6883. After the canvass once begins, the freemen expect to have a treat from time to time till they vote?—No, I do not know that they expect much of that.

6884. Used there to be nothing given on the canvass to those that promised freely?—Not that I know of.

6885. When did they first begin to serve out tickets?—I do not know that there were any tickets served out to the freemen before.

6886. How long have you been a publican in Yarmouth?—Two years.

6887. Can you tell any thing about the election in 1826?—Yes, I was at Yarmouth.

6888. Were there open houses?—Yes, there were open houses on one party but not on the other.

6889. Who opened them?—Colonel Anson's party.

6890. Was there any stint as to quantity?—Five shillings a day.

6891. How many days?—Two polling days.

6892. And the chairing-day?—The chairing day was the second polling day.

6893. There was nothing given on the canvass?—I do not think there was, because the candidates did not enter the town till Monday and the election was on Friday.

6894. Is it your opinion that no men got more than 10*s.* worth during the election?—No, I can state that as a fact.

6895. As

6895. As regards other men that were more thirsty?—I do not know; I do not know that I got it myself, but I know that was the sum allowed by Colonel Anson's party; by the other party, which was a sort of factious opposition, there was none.

6896. Was there any contest in 1826?—Yes.

6897. Who?—Sir Edmund Lacon was put up on the morning of nomination.

6898. Was there any polling?—Yes, he polled about 850 votes.

6899. But 1830 was a more stirring election than that?—Yes.

6900. Was there more than 10*s.* allowed then?—Yes.

6901. Any quantity?—A very large quantity.

6902. No stint?—I do not think there was.

6903. There were open houses in the broadest meaning of the word?—I cannot say; I did not take a part in the election, but I believe there was drinking about in 1830; I was in the office of Mr. Shelley, and I heard women come in to complain that their husbands had not been at work on account of the drink given them the night before; but I was not any ways at all concerned, for I do not think myself I was at the expense of the party.

6904. Do not you think the wives got their share?—No, some of them.

6905. Is it not the custom of the freemen to bring their wives and daughters to drink with them?—Rarely; I may say 50 out of 1,100.

6906. Do you recollect the passing of the Reform Bill?—I believe I do in some measure.

6907. Was it the custom, in most elections previous to that, to pay two guineas to every voter, whether the candidate won or lost?—Yes, they always did; it was set aside in 1826, when what we call Sir Edmund Lacon's party was not paid.

6908. What sum was paid at any election before the last?—Yes, in 1818, when the present Earl of Lichfield was returned, he paid five guineas to every voter.

6909. What did the losing candidate give?—Two.

6910. What did that come to altogether?—I cannot tell.

6911. How many freemen do you think there were at that time?—I think there were about 1,420, somewhere thereabout, polled.

6912. What was his majority, the Earl of Lichfield's?—About 109.

6913. Did he have about 800 odd?—Yes.

6914. Out of the 700, how many do you think got the two guineas?—I cannot say, for I voted for Sir Edmund Lacon and Mr. Lofty at the time.

6915. You got two guineas?—Yes.

6916. How many of the other party got the two guineas?—I suppose 300.

6917. Which of the elections was it, you said that there was a sort of factious opposition got up?—In 1826.

6918. Did you vote?—I did.

6919. Which way did you vote?—For Colonel Anson and Mr. Rumbold.

6920. Who was factious upon that occasion?—I cannot tell who it was; from the way I supported it, I thought it was a factious opposition, on account of the Yarmouth Harbour Bill; I supported that cause at that time.

6921. When did you first become a freeman of Yarmouth?—In 1810.

6922. When did you first give your vote as a freeman?—In 1812.

6923. You have given very distinct accounts of matters in the years 1826 and 1818, and now you have carried your recollection to the year 1810; do you recollect, when you were at the bar last night, stating to the Speaker and the House, that one of the reasons why you objected to answer certain questions was, that your memory was short, and that it was so long since the election, that you could not speak to any facts?—I can hardly say what I did say.

6924. Will you deny that you did say it?—No.

6925. Will you admit that you said it; are you not aware of it?—I am not aware.

6926. If the short-hand writer was to read what you said upon that occasion, would you doubt that you said so?—No; I am a labouring man.

6927. Are you much in the habit of appearing before the House of Commons? No, I never saw it before.

6928. And you were very much alarmed?—Yes, I was timid on the occasion.

6929. Were you timid on the first time you came into the committee-room?—Yes, I believe I was.

6930. Did you find your timidity increase on the second visit, as compared with the first?—No; I believe I was timid.

 6931. But

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6931. But you are not timid now; you do not feel any thing like nervousness now?—No.

6932. They gave you, you said, the summons very unfairly?—When the warrant was served I was detected very unfairly; the summons was served upon me.

6933. Do not you recollect stating in this committee-room, just the same thing that you stated at the bar last night, that it was so long since the election, that a great many circumstances had escaped your memory?—No, I do not.

6934. Are you sure you did not?—I cannot contradict that I did make it; I came unprepared for it.

6935. Do you recollect who were the candidates at the last election?—Yes.

6936. Who were they?—Colonel Anson and Mr. Rumbold, Mr. Baring and Mr. Praed.

6937. Which were the Reds?—There were no Reds at all, that I know of; I never saw any.

6938. What were they turned into?—One party was called Orange and Purple, and the other Blue.

6939. Will you attend to the question; do you recollect that you were admonished by the Speaker of the House of Commons last night; that you were bound to submit to be examined by the Committee, without any prejudice to your right to object to any question, the answer to which may tend to criminate yourself?—I believe I do.

6940. When freemen are on their voyage, do parties pay their wives or themselves, on their return, the amount they would be entitled to?—I cannot tell.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself, but that he was bound to speak the truth.

6941. Did you not receive money on account of the last election?—I beg leave to decline answering the question.

6942. You are not asked what instructions you received with it, or what you did, but simply whether you received money or not?—I beg leave to decline answering that question.

The Chairman informed the Witness, that the Committee were of opinion that the Witness was not bound to answer the question.

6943. You said that the Earl of Lichfield paid his voters five guineas upon one occasion?—I do not know that he personally did himself, because I do not believe that he was in Yarmouth.

6944. Do you know any thing about it?—Only that the voters who voted for him told me so.

6945. You did not receive it?—No.

6946. You did not see any one receive it?—Not one.

6947. And you know nothing about it, but that persons have told you?—A hundred persons have told me.

6948. Many persons have said so to you who were voters, and whom you believe?—I believe them; I should hardly think they would tell me a falsehood.

6949. Can you name any of those?—I could name fifty, give me the poll-book and I will name fifty.

6950. Are you computing the out-voters at that time?—No, the in-voters; there is one witness who was up here, John Samuel Carr, I heard him state that he received it.

6951. Did he say where it was paying?—I think I heard him say that it was paid at a house near the theatre.

6952. A public house?—No, a private house; a Mr. Mahon lived there.

6953. Was he a Blue?—A custom house officer, and could not vote.

6954. He took no part?—No.

6955. Tell another name?—Lawrence Humphry Lacon.

6956. Can you tell a third?—I can call to mind who voted at that election; this is the poll-book.

6957. Were those declarations made at the time of the election, or were they made recently; did those voters tell you that the money was paid at the time, or during this business?—Both now during this business, and likewise at the time.

6958. Will you state somebody who told you at the time?—There are seventeen years gone by, which I cannot comprehend. I have mentioned one man; he worked

worked under me at the time, Lawrence Humphry Lacon, he told me he had five guineas. *William Green.*

6959. At the time?—Yes; there stands the name now on the book. 7 August 1835.

6960. Do you know whether any of the other party got five guineas at that time?—No.

6961. You do not know that?—I am sure they did not, in regard of eating money.

6962. Are you sure that they got their five guineas for their voting?—What they call usual custom.

6963. Did it include two guineas for what was called vote-money, and a certain sum of money for flag-money and chair-money, and a certain sum for their vote?—No, I do not know.

6964. You do not know whether, besides the five guineas, they got two guineas, and a pound, for what they did at the election?—I cannot tell.

6965. You cannot say that it was the gross amount they received, or part of what they received?—I cannot.

6966. Can any freeman have a deputy in his name as chairman?—Yes.

6967. And has it been a custom for every freeman to appoint a chairman?—Up to 1830 the freemen were chairmen themselves; but after the Bill of Lord John Russell the chairman appointed his deputy.

6968. And every freeman might have his deputy?—Yes, every one that pleased.

6969. Several hundreds?—Only those that were termed labouring men.

6970. Fifty or sixty?—Yes; or eighty. We generally reckon eighty persons to the chair.

6971. And they got a guinea, and shared it between themselves and deputy?—I cannot tell what they did; the deputy received it.

Sabbati, 8° die Augusti, 1835.

THE RIGHT HON. LORD FRANCIS L. EGERTON,

IN THE CHAIR.

Mr. *Pritt* stated that he did not intend to impeach the credibility of any of the Witnesses who had been examined on Thursday or Friday last.

Mr. *James Manning Denew*, called in; and Examined.

6972. WHAT are you?—A printer. *Mr. J. M. Denew.*

6973. Are you a voter for the borough of Great Yarmouth?—No. 8 August 1835.

6974. Are you in the service of Mr. Sloman, a printer, of Yarmouth?—Yes, I am his foreman.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

6975. Was Mr. Sloman employed to print refreshment tickets in connexion with the last election for Yarmouth?—Yes.

6976. Do you recollect when the orders for those tickets commenced?—A few days before Christmas.

6977. In what quantities were the orders given?—In various quantities; the order was given first for 3,000 or 4,000, and then we delivered them as we could get them done.

6978. How many do you think in the whole were printed?—About 8,000.

6979. In what proportions, with reference to the money amount expressed upon

Mr. *J. M. Denew.*

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them, were they printed?—There were 6,000 2*s.* 6*d.* tickets, and about 2,000 5*s.* tickets.

6980. Did your orders come in from time to time, that is during the period that you continued to print for those tickets you received orders, not for 8,000 at once, but for 1,000 or so at the time?—Yes, in different quantities.

6981. Did those orders continue to come during the whole period; about what time did you receive the last?—I should say a few days after Christmas.

6982. A few days after Christmas you received the last order?—Yes.

6983. When did they first commence?—A few days before Christmas; they were not all delivered until two or three days before the election.

6984. By whom were they paid for, do you know?—No, I do not.

6985. Have you ever seen any bill made out?—No.

6986. Have you any reason to believe who was the party paying for them?—Only by common report.

6987. Whom did you see giving the orders?—The orders were brought down to the office by Mr. Sloman and his son Mr. William.

6988. You have seen the two Mr. Slomans at the office giving the orders?—Yes.

6989. Were they the parties, as far as you recollect, who gave those orders at all times?—Yes.

6990. Supposing you had received this direction from your employer, "Take those tickets to the parties who have ordered them," should you have delivered them to one or other of the Slomans?—Yes.

6991. Mr. Sloman printed placards or posting bills for the labels?—Yes.

6992. Were those all red tickets?—Yes, there was a little variance in the colour.

6993. Mr. Sloman and his son are known to be Reds?—Yes, they both voted Red.

6994. Did you print any tickets for 10*s.*?—No, not to the best of my knowledge.

6995. If any tickets for 10*s.* were printed at your office, must you have known of it?—Yes.

6996. And you do not know of it?—No.

6997. You are not a voter?—No.

6998. And you do not know of a practice of giving 7*s.* 6*d.* to the first day voters, and 2*s.* 6*d.* to the next day, as a reward for having polled on the first; is there such a practice, to your knowledge?—I always understood so from the voters.

6999. So that a man who polled on the first day would be entitled to 10*s.* worth of tickets?—Yes.

7000. What is the amount of Mr. Sloman's bill for printing?—I do not know.

7001. Have you no information upon the subject; do you not know whether it was 100*l.* or 200*l.* or 20*l.*?—No, I had nothing to do with the prices at all.

7002. You never saw the bill?—No.

7003. Knowing the amount of printing that took place at Mr. Sloman's, whereabout should you conceive that the charge for printing would be?—That would be almost impossible for me to say, without I could first see the orders.

7004. Cannot you guess what it was?—It is impossible to do it from so long a period back.

7005. Should you think it would have come to 500*l.*?—No.

7006. Do you think it would come to 300*l.*?—No.

7007. Including every thing, what was the total amount of printing without specifying precisely?—I should say not above 100*l.*

7008. You are speaking of that printing which was done at Sloman's?—Yes.

7009. Were any other tradesmen employed in the same line?—Yes, Mr. Skill was employed.

7010. Do you consider that the work was equally divided between Sloman and Skill?—I cannot tell.

7011. Did you have more or less than the other party?—I should say, if any thing, we had rather more.

7012. Was Mr. Skill the only other printer employed?—There was Mr. Paul, but that came to us or Mr. Skill; he is not a printer, but receives orders.

7013. Did you include the amount of work done by him in your estimate?—No.

7014. Had he any great share?—Very little indeed. I do not know that we had one bill for him; there were bills printed for him.

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7015. Do you conceive that the whole expense of the Reds in printing was 100*l.* or 200*l.*?—Under 200*l.*

7016. How long have you been resident in Yarmouth?—Fifteen months.

7017. You have not been present at any former election?—Yes, at the election before that.

7018. As a printer, of course, Mr. Sloman does not confine himself to print for any particular party?—No.

7019. If any body had sent any thing to him to print, he would have printed it whichever party it was?—Certainly.

7020. Did he print any thing for the Blue party?—No.

7021. Were any of those tickets printed in blank as to the value?—No.

7022. The value was always printed?—Yes.

7023. Were they printed on white ground or red ground?—On red ground.

7024. One of the party colour?—Yes.

7025. The party colour was orange and purple?—Yes, latterly.

7026. Do you know whether Mr. Skill and Mr. Paul printed any refreshment tickets besides yourself?—That I cannot say.

7027. Have you any reason to believe that they did?—No.

7028. Have you any reason to believe that any other house at Yarmouth, except your own house, printed refreshment tickets for the Reds?—I never heard that they did, or that they did not.

7029. Did you print any placards for the Red party?—Yes.

7030. You were general printer to the Red party, were you not?—Yes.

Mr. *Robert Page*, called in; and Examined.

Mr. *Robert Page.*

7031. WHAT are you?—A watchmaker.

7032. Did you vote at the last election?—Yes.

7033. How did you vote?—For Anson and Rumbold.

7034. As a freeman or householder?—As a freeman.

7035. At any time prior to the last election, did a person of the name of West call upon you?—Yes.

The Chairman informed the Witness that he was not bound to answer any question which might criminate himself.

7036. Will you state what West called upon you for?—He called to tell me that there was a gentleman at his house that wished to speak to me.

7037. When was this?—I dare say it was a fortnight before the election, I cannot say to a day or two.

7038. What did you say in reply to that?—I asked him who it was; well he says if you go down the row you will see, so when I went in I saw the gentleman, but I never saw him before that I know of, but afterwards I found him to be Mr. Laws by the conversation.

7039. You went and you saw a gentleman then, where?—At West's house.

7040. Whom you subsequently knew to be Mr. Laws?—I did not know him then, but since I found him to be Mr. Laws.

7041. What passed?—We got on to electioneering concerns.

7042. How did you get on to electioneering concerns?—He said he understood I had not promised my vote, I told him I had not.

7043. Go on with the conversation, what did he say, and what did you say?—He said to me if you vote for Praed and Baring I will give you 3*l.*, and I could take the two guineas and the half-guinea ticket afterwards.

7044. Did you say any thing in reply to that?—I said no.

7045. Meaning that you would not?—Yes.

7046. Go on with the conversation?—Then he said that he would give me 5*l.* and he would take upon himself to take the two guineas and the half-guinea ticket, I told him I would not take it, and I came away, nothing more passed.

7047. Did any thing subsequently happen with respect to yourself and your vote?—He sent for me a second time.

7048. How long after?—I dare say it might be three days before the election took place.

7049. Was it West came again?—No.

7050. What was the name of the person?—Reed.

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7051. Did Reed say any thing?—Mr. Reed came and called me out, and he told me there was a gentleman wanted to speak to me so and so, that is to come where I went before.

7052. West's house?—Yes, and I told him it was of no use as I had promised Colonel Anson the night before.

7053. What did he say?—I told him it was of no use when I got to the door, because I had promised Colonel Anson the night before, and he told me to go and speak to him at all events.

7054. What was of no use?—Going to speak to Mr. Laws because I had promised my vote; Mr. Reed and I walked down the row together, he went into the yard first, and when he got into the yard he says it is all done, or it is all dicky, or some such words as that; Mr. Reed has promised his vote, and appears dilatory.

7055. To whom was Reed then speaking?—To Mr. Laws.

7056. He said that to Laws?—Yes.

7057. Did you go in?—I did.

7058. Did you say any thing to Laws?—Merely a few compliments passed which I cannot recollect, merely telling him that I had promised my vote, and that I should not falsify my word or call it back, and that was all that passed; I bid him good afternoon.

7059. Is your wife here?—Yes.

7060. Does she know any thing about this further than the parties calling upon you?—No further than the parties calling.

7061. Did you mention these circumstances to her at the time?—I did.

7062. Which day of the poll did you vote?—The first day, in the morning, at 11 or 12 o'clock.

7063. You have stated to the Committee, that Mr. Laws made you an offer of 3*l.*, and subsequently an offer of 5*l.*; will you, on your credit before this Committee, repeat that statement?—Yes.

7064. That Mr. Laws made you a positive offer of 3*l.*, and subsequently a positive offer of 5*l.*?—Certainly I can.

7065. And to that you will positively and strictly adhere?—Yes.

7066. That the offer was made to you?—Yes.

7067. When was this?—As near as I can guess, about a fortnight before the election; I cannot exactly account for a day, for I did not keep it in mind altogether.

7068. Will you state to this Committee, that you did not say to Mr. Laws, "I will have 7*l.* for my vote, and I will not vote unless I get it, for my wife and family have been ill, and I must have money?"—No, that is wrong.

7069. You never stated that?—I stated to Mr. Laws that I had been very ill for a length of time.

7070. Did you not, before Mr. Laws spoke to you, ask Mr. Laws for money for your vote?—No, I did not.

7071. That you adhere to?—Yes, that I can do; I did not do any such thing.

7072. You stated to Mr. Laws that you had been ill and wanted money?—I stated to Mr. Laws that I had been ill.

7073. Did you state that you wanted money?—No, I cannot say that I did.

7074. Did you state that your wife and daughter had been ill?—No.

7075. Were not your wife and daughter ill about the time that this transaction took place?—No.

7076. Had you had medical attendance?—I had medical attendance; Mr. Bird attended upon me.

7077. You had doctor's bills to pay?—Yes, I have doctor's bills to pay now.

7078. You positively declare that your wife and your daughter were not ill about that time?—Certainly not.

7079. And that you did not say to Mr. Laws that your wife and daughter were ill at the time?—No, I could not say such a thing.

7080. Did you, or did you not say so?—I did not.

7081. Had you doctor's bills to pay at that time?—Yes, certainly I had, which are unpaid now.

7082. What was the amount?—I do not know what they are; I never had the account.

7083. Had you not the account delivered at the time?—No, I never had the account.

7084. How

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7084. How long had you been ill?—I dare say I had been ill a twelvemonth.

7085. Were you recovered at that time?—I was not exactly.

7086. How came you to mention your illness to him?—I am sure I am not able to say now how it comes about.

7087. You do not know?—I cannot call it to mind.

7088. Then you positively and distinctly state and repeat that you did not state to Mr. Laws, that having been ill, you wanted money to pay your doctor's bills?—No.

7089. Was any body present at the first time but yourself and Mr. Laws?—No.

7090. Nobody heard what took place?—Not that I know of.

7091. The next time you called, was any body present?—The next time I saw him, Mr. Reed was present.

7092. Did any thing then take place with regard to money?—No, I never heard a word of it.

7093. Had you not promised your vote then?—I told him that I had given my vote to Anson or Rumbold.

7094. Had you promised your vote between the time of his first seeing you and the second time?—Yes.

7095. Had you ever asked for the 7*l.*?—No.

7096. But you did mention your illness in the conversation with Laws?—I did.

7097. Did Mr. Laws know of your illness at the time that he offered you the 5*l.* for your vote; had you stated to Laws in the conversation that you had with him, at the time when he offered you the 5*l.*, that you had been ill?—Very probably I did. I do not recollect that I did.

7098. So that Laws knew at the time that you had been ill, and offered you 5*l.* for your vote?—No.

7099. Did you not ask Mr. Laws for any money?—No.

7100. Did you agree to take the 3*l.*?—I did not.

7101. Did you agree to take 5*l.*?—I did not.

7102. You told him you would not take it?—I did.

7103. Did you say you would take 7*l.*?—I did not.

7104. Did you positively decline to take any money for your vote?—When he offered me the 5*l.* I came away. When I went down the second time there was nothing of the kind mentioned, so that he could not offer me the 7*l.*, because there was nothing mentioned of the kind.

7105. How came you to go to him the second time?—He sent for me.

7106. Did you say to him that you had doctor's bills to pay?—I do not think that I did.

7107. Did you say any thing about wanting money?—I do not know.

7107.*Were you in want of money?—I dare say if I did I could get it from my father, a pound or two.

7108. Had your been out of your employment in consequence of your illness?—No, I was never out of employ.

7109. You say the first time West went down with you to his house there you saw Mr. Laws?—Yes.

7110. When this conversation passed between Mr. Laws and yourself nobody was present?—No.

7111. What had become of West?—Mr. West went up stairs.

7112. Leaving you and Mr. Laws in the room?—Yes.

7113. Has your doctor sent your bill in yet?—No.

7114. Did he ever ask you at the time of the election to pay it?—No.

7115. He is not in any hurry for it?—No, he has never asked me for it.

7116. Who went up stairs?—Mr. West, when I went to speak to Mr. Laws the first time.

7117. Who was present the second time?—No one present but the man that came for me, Mr. Reed, and there was no conversation passed; but he said, "It is all dickey, Mr. Page has promised his vote." No conversation passed.

7118. Was there no conversation past about some voters getting more, or that that was too little?—I do not remember.

7119. Was there any thing passed to lead Laws to believe that a larger sum would secure the vote?—Not that I know.

7120. Do you know of any other voter at Yarmouth who at that time, or about that time, was offered a sum of 3*l.* or 5*l.*?—No, I do not.

7121. You know of no other single voter that was offered a bribe?—No, I do not.

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7122. You state that 3 *l.* was offered you about a fortnight before the election. Was it at the same time that the 3 *l.* were offered to you that the conversation took place, " You may get the two guineas and a half afterwards "?—Yes.

7123. About a fortnight before the election?—Yes, there was nothing of the kind mentioned the second time I went down.

7124. You are asked about the first time, when the 3 *l.* were offered to you. It was then said, " You may get the two guineas and the half guinea afterwards "?—Yes.

7125. That was the conversation that took place about a fortnight before the election?—Yes.

7126. Was it a fortnight before the election?—I will not be sure to a day or two.

7127. Was it more than ten days before the election?—Yes, I think so.

Martha Diboll, called in; and Examined.

Martha Diboll.

7128. YOU are a kinswoman of Mrs. Diboll, of Market Row, Yarmouth?—Yes.

7129. China dealer, is she not?—Yes.

7130. And you live with her?—Yes.

7131. Do you know the premises of Mr. Fyson in Yarmouth?—Yes.

7132. Do you know the back premises of Fyson?—Yes.

7133. Will you describe to the Committee how they are situate, is his house in the market place at the corner of a row?—No.

7134. Has he back premises that open out of a row in Yarmouth?—Yes.

7135. And you live near to him?—I live in the adjoining door, both doors are adjoining each other.

7136. Can you see those premises which are referred to now from yours?—Yes.

7137. Was your attention called to the back premises of Fyson's house at any time about the election?—My attention was called on the Sunday by seeing a great number of people passing and repassing, and one man employed apparently at the house to show the others which was the door, having the name previously put on I think the Friday before the election, and when the people came down one gentlemen said that is the door with Mr. Fyson's name upon it, and we concluded as we had heard from other people that they were going to give away colours for the election, and we had no idea of any thing further till the Monday.

7138. Speaking of the door on which you say the name had been painted on the preceding Friday, had that door ever had Mr. Fyson's name on it before?—No, Mr. Fyson never lived in the shop himself, he hired the shop and put one of the shopmen in it, and it did not answer.

7139. And the name was written on on the Friday preceding the election?—I cannot speak to the day, it was either Thursday or Friday, but not before.

7140. Will you now proceed with your statement on the Monday?—All on the Monday there were people continually coming backwards and forwards, and some gentlemen with them, but the gentlemen I cannot speak to only one, whose name was Captain Grint and a Mr. Stag, of Yarmouth.

7141. Was there any body else besides whom you can mention?—Not by their name, I knew several of the people to see who came backwards and forwards, and the first thing that gave me any suspicion was, there were some gentlemen talking, and I opened my door and stood, and one of the gentlemen said, " Oh, he wants," but his voice dropped, and I did not hear anything further.

7142. Did you hear so much of the sentence as to know the character of the party that was spoken of?—That was all I heard, and the other gentleman then said, " Do stop you here, and I will go up and do him," and that was all I heard, and I came in and told our people in-doors and Mrs. Diboll's sister, that is now here, went out and spoke to the gentleman, and accused them of bribery, and that was the first that ever gave us any suspicion.

7143. Did you hear that person speak to them?—Yes.

7144. What did she say?—She said, " Gentlemen, I think you are after no good here," and the gentleman said, " he thought she was under a very great mistake," and she said that she thought that they were bribing, and the gentlemen said, " they did not bribe no more than the Blues," and Mrs. Diboll's sister directly said they would not be guilty of such a thing.

7145. Were

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7145. Were you present when this conversation took place?—Yes, I heard it.
7146. Did you see any other person that you knew there?—Not to call them by name.
7147. Mr. Stag?—I was not present when she was talking with him, so that I do not know what passed.
7148. Did you see him?—Yes.
7149. Is that the same Mr. Stag who is a clerk in the bank of Messrs. Lacon? Yes.
7150. Did you hear your shop-woman speak to the men at any time who were going backwards and forwards?—That was what I heard, what I have stated.
7151. Is that all you heard?—Yes, she went out and spoke to them two or three times.
7152. She is here?—Yes.
7153. Did you observe whether Mr. Stag was left there when the other men were away?—I was not with her then.
7154. Did you see a person of the name of West at any time?—Yes, he was there, I think, all Sunday, looking after the election.
7155. Where does West live, do you know?—I do not know where he lives.
7156. Did you know any thing of him of his station in life?—He is a shoemaker by trade.
7157. Did you hear your shop-woman say to Captain Grint and Mr. Stag, at any time, any thing relative to shame?—That is what I have just stated, what she spoke to Captain Grint. She told him that he was after no good, and he said, she was under a mistake.

Maria Pike, called in; and Examined.

Maria Pike.

7158. WHAT are you?—I serve in Mrs. Diboll's shop in the Market Row.
7159. Are you shop-woman there?—Yes.
7160. Do you know the back part of Fyson's house?—Yes.
7161. Was your attention called at any time to those premises shortly before the last election?—On the election-day.
7162. Will you state what you observed?—In consequence of something Martha Diboll said, I went out, and I saw two gentlemen standing there, one was Captain Grint.
7163. Where?—Against the back door.
7164. Mr. Fyson's back door?—Yes.
7165. Is the door you are speaking of a door belonging to Mr. Fyson, and had it recently had his name placed upon it?—Yes.
7166. Had you known those premises for some time previously?—Yes.
7167. For how long?—I have lived in the adjoining house to it for these 14 years.
7168. Do you know when it had the name of Fyson written upon it?—No.
7169. That was written before the election?—Yes.
7170. When did you observe it?—The day before the election, I think.
7171. Whom did you see—who was the other gentleman besides Captain Grint?—I knew only Captain Grint.
7172. What then passed?—I told him that he was not acting right.
7173. Just state all that passed?—For I thought they were giving bribes, and the answer he made was, "Would you take a bribe?" and I came in and shut the door.
7174. Did you on any other occasion come out, or make any other observation?—In the course of the day I went out again, and saw Mr. Stag there.
7175. Is that Mr. Stag, the clerk in Lacon's bank?—Yes, and I called him by name.
7176. Did he answer to you, state what passed?—I told him that I thought he was after no good there, for I thought he was giving bribes; and there were two men down the row, and Mr. Blake. I think I told him that I could show the door where they took the bribes; and I said, yes, Mr. Stag, that is the door I think.
7177. Did you see men frequently coming to Fyson's after that time?—No, I did not.
7178. Did you state to the men that that was the door where they were giving the bribes?—Yes, I did, but the men did not go down the row then.
7179. Did you go out on any other occasion?—No, I did not.

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7180. Did you see a man of the name of West in this row, or about there?—No, I did not.

7181. Those are the only two gentlemen you recollect?—Yes.

7182. What were the circumstances that made you suppose that bribery was going on, or induced you to say so to Mr. Stag?—What Martha Diboll stated.

7183. Nothing else?—No.

7184. Did Mr. Stag go in and out of the door?—I never saw him.

7185. Had you seen Mr. Stag there before this day?—No.

7186. What is Mr. Fyson?—A linen-draper.

7187. Is he a Red?—I do not know.

7188. You have lived 14 years next door to this house?—Yes; Mr. Fyson has not had the shop all that time.

7189. What had the house been before that time?—It had formerly been a confectioner's shop. Mr. Fyson took it nearly as soon as it was closed.

7190. What had Mr. Fyson to do with the election?—I do not know.

7191. Had he any thing?—I do not know.

7192. Had the house been vacant some time before?—I think not.

7193. Fyson succeeded the confectioner?—Yes.

7194. How long was it before the confectioner left?—I think it was some little time.

7195. When you said to Mr. Stag that you thought he was doing no good, did he make any answer?—I cannot recollect.

7196. Did you ever see Mr. Stag at that door before on any previous day?—No.

7197. Did you ever see him since?—No, Mr. Fyson has not the shop now.

7198. Is this near Mr. Lacon's bank?—No.

7199. How long has Mr. Fyson had those premises altogether?—I think he had not had it above three or four months.

7200. Did he carry on any business there?—He had a young man that kept the shop for him.

7201. Did you see any persons come with ribands or colours?—No, I did not.

7202. Did any thing pass about the Blues giving bribes?—I do not know.

7203. Was any thing said about the Blues giving bribes as well as the Reds?—I never heard it.

7204. Was this a copper plate with the name of Fyson upon it?—No, it was painted on the back door.

7205. How many people did you see go in and out?—I did not see any people go in and out; I saw those people against the back door.

7206. How many people did you see?—I saw Captain Grint and the other gentleman.

7207. Did you see any other man?—No.

7208. Do you know Captain Grint?—Yes.

7209. What is he in profession or trade?—I do not know; I know him to see him.

William West, called in; and Examined.

William West.

7210. WHAT are you?—A shoemaker.

The Chairman informed the Witness that he was not obliged to answer any question which criminated himself, but that he was bound to speak the whole truth to every question that he answered.

7211. Are you a voter for the borough of Great Yarmouth?—Yes.

7212. Did you vote at the last election?—Yes, for the Reds.

7213. As a freeman?—As a freeman.

7214. Do you know John Laws?—Yes.

7215. A short time before the election did he hire you for any purpose?—Yes.

7216. For what purpose?—To attend upon a room.

7217. What room?—A room which belonged to the premises of Mr. Fyson.

7218. Will you state for what purpose you were hired as connected with that room?—I was hired to give an answer to any person that came to the door, or conduct them to the person that they asked for.

7219. Was that all you had to do?—Yes.

7220. How long did your engagement last?—Five days before the election, as near as I can guess.

7221. Up

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7221. Up to what period?—I think till the day after the election it lasted; when the election concluded I was discharged.

7222. Whom did you see coming backwards and forwards there?—Several people.

7223. What description of people were they?—Some respectable people, some poor persons.

7224. Were they not in your belief voters for Yarmouth?—Some of them.

7225. For whom did those people inquire?—For Mr. John Laws.

7226. Had you any conversation with any of them at any time?—I had certainly conversation with two at one time.

7227. Did you learn from them the business for which they came?—According to the questions that I put to them, I asked them who they wanted, and they said Mr. John Laws; I told them that he was not in the way; they might see him if they thought proper.

7228. Did Mr. Laws see the persons who came there when he was there?—He saw them after they had waited some considerable time.

7229. Did Mr. Laws use that room for the purpose of seeing persons that called?—Yes.

7230. Was his name upon the room door?—No.

7231. Can you explain how it happened, that persons wanting to see Mr. Laws should come to the back room of Fyson's?—I cannot explain no further than it was generally known apparently that Mr. Laws occupied the apartment.

7232. Have you any reason to know how that got abroad that Mr. Laws was there?—No, I cannot say that I have any particular reason.

7233. What reason have you that is not particular?—I did not know that, any further than when I was engaged, I knew that such was the case, as I was to attend upon him in that room.

7234. When people came there, what did you do; did you stay in the room?—No, I did not.

7235. Why?—Because I had orders; at least I did not wait for any orders; when any third person came, I walked out, which I considered it my duty to do.

7236. Why, what was your reason for it?—Merely for manners, or any thing else which might occasion it if a third person came in.

7237. What is Laws?—He was a tradesman; I do not know what he is now.

7238. What was he at the time you served him?—According to that, of course I should consider him my master.

7239. What was he in the town apart from this room of which you have been speaking?—That I cannot tell; whether he resided in the town or out of the town I do not know.

7240. What had you known of him before his hiring you?—I have been in his company at different times and places.

7241. What is the mode by which he gets his living?—I do not know.

7242. State what passed between you and him when he hired you?—When he came to me he asked me whether I had any objection to attending upon a room which he should hire for the purpose of conducting the affairs of the election, and I said I had no objection provided I was remunerated for it.

7243. What was the remuneration agreed upon?—Five shillings a day.

7244. When did you first go there?—I cannot name the day.

7245. What day of the week?—That I cannot tell, for my memory is not good enough to recollect the day.

7246. Were you not there on Sunday evening preceding the election?—Not much on Sunday.

7247. How much?—Very little time; not any time till five or ten o'clock in the evening.

7248. What time in the evening did you get there after dark?—As near as I can recollect, at about eight or nine o'clock.

7249. This room is down a little narrow row?—Yes.

7250. And opens out of one of those narrow rows, and then you go up a pair of stairs into this back room?—Yes, it is a front room, fronting the row.

7251. At the back of the houses which front the market place?—No, it is the front part of the house, as Mr. Fyson occupied the apartment leading to the market row; the entrance is from the back part.

7252. Do you know whether Fyson's front shop was shut from the Saturday to the

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the Monday?—I know that the shop was shut during the election days; whether all of those days I cannot say.

7253. As Laws had hired you to attend upon this room in election matters, will you state to the Committee that you had no other reason for leaving the room when those men called upon him than manners, was it not understood between you and him, that you were to leave the room?—Not first; not till a report was raised.

7254. What was the report?—A very common report, stating that there was bribery going forward in the room.

7255. What did he say in consequence of that report?—I never asked him any question, and did not hear him say any thing upon the subject.

7256. You said it was not until this report that any thing was said about your quitting the room; you said not at first, it was not understood at first; how soon was it understood?—Not till the election day.

7257. Then it was understood between you and Laws that you were to go out of the room?—No; he never named it to me, only as such report was raised, I went out of my own accord; I did not understand any thing from Mr. Laws.

7258. Had any body else spoken to you to create the understanding in your mind that it was not for you to stay in the room when persons came in to speak to him?—No, no person of the Red party stated it; I understood from the Blues that a report was raised, and for that reason I did not go into the room on account of the report.

7259. Then you did not mean the Committee to understand, when you said you did not understand at first and you did subsequently understand it, that Mr. Laws spoke to you, but that you inferred from this report that it was not judicious for you to be present?—Certainly, I considered it my duty not to be there.

7260. This room is down one of the narrow passages in Yarmouth, and has a back entrance to it?—Yes.

7261. Can you state any reason for the people being requested to go down this narrow passage to the back of the premises when there was Mr. Fyson's front room, and why the front of his house was shut?—During the days before the election of course Mr. Fyson's business was going on in the shop, and for that reason persons would not be allowed to go through the shop to disturb his business.

7262. Is there any private door in the front of the house?—No.

7263. Did that same reason hold when the shop was shut and no business was going on?—When no business was going on they came the same way, just the same.

7264. And the front door was then shut?—Yes.

7265. So that they were obliged to go to the back door?—That was the entrance to the apartment.

7266. You say you were engaged for election matters, tell the Committee what election matters were going on in the room?—I beg pardon, I said that I was engaged to attend upon Mr. Laws; he was engaged in election matters and so might I.

7267. Tell what election matters he conducted there, and seeing that you were his servant and attended upon him?—I did not see any thing but people coming and repassing.

7268. Writing?—I saw Mr. Laws with his pen and ink; I did not see what he was writing.

7269. You never saw any thing that Laws wrote?—No, not to the best of my knowledge.

7270. Did you see the persons coming backwards and forwards?—Yes, I saw Mr. Lacon there.

7271. Mr. John Edward Lacon, the banker?—I cannot say his name; I know it is Mr. John Lacon.

7272. The banker, is he the person you have seen about in the room?—Yes, I saw him yesterday.

7273. Who else?—I saw Mr. Lushington Preston there.

7274. Who else, Mr. Stagg?—No, I do not know such a person.

7275. Whom else did you see that you did know?—I do not remember any person of any respectability.

7276. Then all the rest were voters or poor men?—Yes.

7277. Do you know whether there was any truth in the report of bribery there?—No, I do not, because I never saw any thing.

7278. Have

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7278. Have you ever overheard any observation passing from Laws to a man or of a man to any body else; have you ever heard such an expression as this, "Oh, he is of no use?"—Yes, that I have.

7279. What did you understand when Laws was speaking of some one man to whom that applied, "Oh, he is of no use," to be the meaning of those words?—According to the report, I of course must understand it as the generality of the people did; I never saw any thing no more than my own thoughts might lead me to such a thing.

7280. Did you interpret that language so to mean?—Merely from report, I had no other reason.

7281. You heard such an expression as that, "Oh, he is of no use?"—Yes.

7282. And that is the meaning you put to it?—Yes, according to my own judgment.

7283. Did those applications or calls of men upon Laws increase on the first day of the election to what they had been a day or two before?—Yes.

7284. They came more frequent?—Yes, they came faster sometimes than others.

7285. They continued during the election?—Yes.

7286. The day after the election you were discharged?—Yes.

7287. Had not the name on that door been recently put on according to its appearance?—It was put on the same morning after I was engaged in the room, I think I saw the man putting it on.

7288. Do you know who it was?—I cannot say I know the man to speak to, but I do not know his name, and I do not know whom he worked for.

7289. Do you know where he lives?—No, I do not.

7290. What was painted on the door, Mr. Fyson's name?—Only the name of Fyson.

7291. Did you see a man of the name of Henry Welsh Berry there?—I cannot say that that was his name; I saw a man of the name of Berry, but whether it was Welsh Berry I cannot say.

7292. Did he poll Red?—I cannot say, but I think he did.

7293. Was Berry in that room?—I saw a man there, I think his name was Welsh Berry, but I will not be positive.

7294. Did you see him with red colours?—No.

7295. What was your reason for believing that he polled Red?—I have no particular reason, further than his coming there, I do not know whether he had polled before.

7296. Did you see a man of the name of Samuel Martin there?—Yes.

7297. Is he a voter for Yarmouth?—Yes, I think he is.

7298. Do you recollect any other man coming there?—I certainly recollect another of the name of Radnor.

7299. Are those all the men you recollect there?—I cannot recollect any more, I saw many persons come, but I do not recollect their names.

7300. Did Laws pay you?—Yes.

7301. Where did you go to meet Laws to be paid?—I think he paid me at the room, he paid me a sovereign the first week.

7302. And you think he paid the remainder at the room?—I am not certain where it was.

7303. Did you leave him in possession of the room?—I never locked up the room, I do not think I locked it up once.

7304. What did he say to you when he discharged you?—I cannot recollect.

7305. Did he say I have no further occasion for you, the election is over?—Something of that kind passed.

7306. Did you understand because the election was over your duties there had ceased?—Not particularly, I cannot say that there were any particular words passed, no further than he paid me; I do not recollect any particular conversation.

7307. Your occupation did in fact cease when the election ceased?—Yes.

7308. Were you in Yarmouth during the two days of polling at the last election?—Yes.

7309. Was it the general practice to close the shops during the two polling days?—Yes.

7310. Then Mr. Fyson was not at all singular in shutting his shop on those two days?—No.

7311. Supposing any person had taken a message to Mr. Fyson, would that have been the entrance?—Yes.

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7312. One entrance was in the front through the shop, and the other was round this alley?—Yes.

7313. That would have been the case whoever had taken it?—Yes.

7314. You have spoken of persons coming to this room to see Mr. Laws, do you know that voters only came?—I dare say that others might have come there.

7315. Colourmen and chairmen might have come?—Several of those that were colourmen and chairmen came, I know.

7316. You do not know that all that came were voters?—No.

7317. Is it improbable that Mr. Laws might have been there to take an account of the state of the poll?—He might have been there for that purpose.

7318. You have been asked, whether persons who are doing an innocent act usually do it openly or clandestinely, was there any thing secret or concealed in the proceedings of this place?—The room was generally left open, and every place left all open for people to pass or repass up and down the room, every thing was public enough, for the strangers were in the room.

7319. Was more than one person admitted at a time?—No, not when Mr. Laws was in the way; when they were admitted, one went out and left the other alone with him.

7320. You were a porter at the door?—Yes.

7321. And when persons came you showed them up to the room and went down again?—Yes.

7322. Was any shop shut besides Mr. Fyson's in the market row?—Yes.

7323. What was the reason for shutting them?—For fear of the windows generally, I believe.

7324. At this door was there a knocker or a bell, and did the parties that came knock or ring before you admitted them?—I do not remember whether there was any knocker or bell; the door was set open the principal part of the time.

7325. Did you stand upon the staircase?—I stood upon the landing.

7326. And any person that had business with Mr. Laws came in?—Mr. Laws was asked for.

7327. How many people came in?—I cannot tell.

7328. Were there 20?—Yes, I should say there were 20, but I cannot say how many there were.

7329. Were there under 60?—I cannot speak decidedly upon it.

7330. In the whole week that you were hired?—I cannot tell the number; there were a great many I know; I have no idea of the number.

7331. Were there ten?—According to my idea, I should think there were more than ten; I would not state the number at all, because I do not know.

7332. Can you tell whether the same men came back sometimes three or four times there or more than once?—Yes.

7333. Therefore though there might be a good many persons coming in every day, you cannot tell the total number that did come?—I cannot.

7334. Did you state that there was no means of communication between this shop and the room to which the door led?—There was a communication if required.

7335. Amongst all the parties that you saw, who came to inquire for Mr. Laws or for Mr. Fyson, were there any that appeared to be customers that wanted to go to the shop?—No, it is very seldom that I asked them any questions.

7336. You do not recollect any individual applying as a customer wanting to get into the shop?—No.

7337. Was there a communication between this back part of the house and the shop?—Yes, on the election days it was.

7338. Before the election?—No, not before the election.

7339. You had general directions to admit people to this place who inquired for Mr. Laws to show them the way; had you any directions to prevent any body from coming in?—No.

7340. Did you know at that time any of the principal friends of the Anson and Rumbold party in the election?—Yes, I knew a great many.

7341. Do you Mr. Barth?—Yes.

7342. Should you have thought it your duty to admit him?—If Mr. Barth had come and asked for Mr. Laws, I should have conducted him to him.

7343. Any person that asked for Mr. Laws?—Yes.

7344. If any body came and said, "I want to buy some linen drapery of Mr. Fyson," should you have let him in by that door?—If they came and asked a question of that kind, I should have told him that the business lay the other way.

7345. And

7345. And sent him round to the other door?—Yes.

7346. You have stated Mr. Laws hired you; you say that he is of no trade?—I do not know any thing about his occupation; what he is I do not know.

7347. But you had known him before he hired you?—Yes.

7348. Do you know about Robert Page?—Yes, I know him.

7349. Some time previous to the election did you go to Robert Page's house?—Yes.

7350. Did he come with you to your house?—Yes.

7351. Did you go up stairs?—Yes.

7352. Was Mr. Laws in your house when you came there?—Yes.

7353. Do you know Martha Diboll, who is the next door neighbour to Mr. Fyson?—I know her a little.

7354. Do you remember on the Sunday before the election seeing Martha Diboll?—No, I do not; I was not there on the Sunday, except just in the evening.

7355. Or Maria Pike; do you know her?—Yes.

7356. Did you see her?—I might see her, but I do not recollect particularly.

7357. On the Sunday before the election did you see Mr. Lacon at this house?—I was not there on the Sunday; I was there every day but the Sunday; and on the Sunday evening I went to take the keys.

7358. Did you see Mr. Lacon?—Not on the Sunday.

7359. On the Monday?—I do not know what day it was.

7360. Often?—I cannot tell how many times I saw him.

7361. Ten times?—I cannot say.

7362. Did he come every day?—I cannot tell.

7363. Did Mr. Laws sleep there?—No.

7364. Did you sleep there?—No.

7365. You attended in the day?—Yes.

7366. At what time did it open?—It was generally open when the shop was open; but I never went there before nine o'clock.

7367. The family of Mr. Fyson, if they came to bed, did they enter by this back door, or by the door in the front?—The family did not reside there at all; the shop was hired by Mr. Fyson, and he put some persons to carry on the business there; he has another shop in the market place.

7368. Do you know how long he had occupied this shop?—No.

7369. In this room that Mr. Laws occupied, what furniture was there?—I do not know exactly, a table, and three or four chairs and a sofa.

7370. Was it used exclusively, as far as you saw, for election purposes?—There was nothing particular in the room.

7371. Do you know whom the room was occupied by, when you had not the use of it before and after?—Mr. Laws of course told me that it was his room, and therefore I considered that he occupied it.

7372. Was the name of Fyson painted in large letters?—I cannot speak to the size; it was quite plain for any person to read I should consider.

7373. Which way did the windows of the shop look; down what street?—It is into the market row.

7374. Are there any other shops on each side of that shop?—Yes.

7375. Had they back doors in the same lane or alley, and a window too?—Yes.

7376. And therefore any body might have to go to those houses?—Yes.

7377. Did you, during the time that you were in attendance there, see any reason whatever, and if any thing what, to lead you to believe that bribery was going on at that time?—I never saw any cause at any time to lead me to prove that that was the case.

7378. Did you see any thing to lead you to believe?—I did not see any thing.

7379. Could not bribery have been carried on there without your being privy to it?—Yes.

7380. Do you believe, or do not you believe, that bribery was carried on there?—I believe no further than what common report says, because I have no other proof.

7381. When Page went to Laws you went up stairs?—Yes.

7382. Why?—Because Mr. Laws and Mr. Page were talking together, and I did not hear what they talked about.

7383. You said that subsequently you thought it your duty to leave the room?—This was my own house; I did not go out for any particular reason.

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7384. Was Mr. Stag there?—I do not know him by name.

7385. What was the message with which you were sent to Page by Laws?—I think it was to ask him to come and speak to Mr. Laws.

7386. Any thing further?—I do not recollect; if there was any thing it has slipped my memory.

7387. Was there any thing in that message or what happened then, to lead you to believe that Laws offered him money upon that occasion?—No, I cannot say that I recollect any thing at that time.

7388. Was the place open on the Sunday when you were not there?—I know not, I had the key till Sunday night.

7389. Have you seen Mr Laws this morning?—I have seen him standing here.

7390. Did you speak to him?—Only saying how do you do, nothing further.

7391. You did not talk about this matter?—No, I have not named it to him.

7392. You say you stood upon the landing when you retired from the apartment?—Yes.

7393. Did you hear any thing which passed in the room?—No, I did not hear any thing in the room or out of the room to give me a reason that such was the case.

7394. Did you frequently go on errands to freemen to ask them to come and speak to Mr. Laws?—No.

7395. Was that the only case of Pages?—No.

7396. Did you go to any more?—Yes, one more.

7397. Did ever any of them allude to money transactions on account of their votes?—Not any that I went for.

7398. There never was an answer, "it is of no use going up, he will not give any price?"—No.

7399. Did Page say any thing about that?—I do not remember that he did.

7400. Did you ever go to the bank for money?—No, I did not.

7401. Was it with reference to Page that Mr. Laws said it was of no use?—No.

7402. Have you told the Committee all you know about the election?—If there is any thing else, it is from want of memory.

7403. You stated that at first when you were engaged you used to go and stay in the room occasionally, but when you heard that report, you desisted from staying in the room?—I always went out of the room even from the first, therefore it made no difference with regard to that.

7404. Did you hear any noise at the door, or any disturbance at any time?—No, I do not recollect it.

7405. Did you hear or see Mrs. Diboll interfere in any way?—I heard her talk a little one day.

7406. Did you hear what she said?—No, I do not recollect a word.

7407. To whom did she talk, was Captain Grint in that room sometimes?—I do not recollect.

7408. Did you hear her talk to Captain Grint?—I do not recollect hearing her speak to him, but I do not know.

7409. What is Mrs. Diboll?—She keeps a china-shop.

7410. When you were engaged by Mr. Laws, was it not intimated to you that your services would be required only during the election?—Yes.

7411. You did not consider it a permanent engagement?—I knew it was to last as long as the election lasted.

7412. It was no matter of surprize to you that you were not required after the election?—No, it was not.

7413. You were paid so much a day while you were wanted?—Yes.

7414. Were there any placards in the room?—None at all, I did not see any.

7415. You did not have any tickets?—No, I did not.

7416. Any colours?—No.

7417. Cockades?—I do not recollect seeing any.

7418. Did you wear any colours yourself while you were there?—No.

7419. If there had been any you would have seen them?—Yes.

Mr. *John Laws*, called in; and Examined.

Mr. John Laws.

7420. HAVE you come here in obedience to a summons as a witness?—Yes.

7421. You are here ready to be examined now?—I am.

[*The Committee declined to pursue the examination of this Witness.*]

Paul

Paul Roall, called in; and Examined.

7422. WHAT are you, are you a voter for Yarmouth?—Yes.

7423. What are you by trade?—Block and mast maker.

7424. How did you vote at the last election?—Blue.

7425. As a freeman or a householder?—As a freeman.

7426. Were you at Mrs. Brieze's at any time before the election?—Yes.

7427. Whom did you see there first of all; state to the gentlemen when this was?—This was the Sunday before the election.

7428. Is your mind carried back to that time when the gentlemen spoke to you on the Sunday?—Yes.

7429. State what passed then to the gentlemen here?—This was the Sunday forenoon, before dinner and before the election; Mr. Ferrier called me out of the tap-room into the yard.

7430. What is the name of the house?—The Rose; he asked me the reason I was not at church; he said "Roall, why are you not at church?" and I returned it to him, "Why are you not there?" then I left him there.

7431. Were you afterwards at another public house?—I was at the same house the night of the first day of the polling.

7432. Whom did you then see, or who spoke to you about your vote?—There was a man came in, but I did not know his name, and he called me out and said a gentleman wanted to speak to me, and when I went out there was young Mr. Sloman.

7433. State what he said to you?—He asked me whether I would walk with him, and I asked him how far; he said to the Quay by the side of the Buck; there is a public house of the sign of the Buck.

7434. That is another public-house?—Yes, and when I got there he asked me whether he could give me any thing to do me any good.

7435. What said you?—"A little money," said I, "will not do me any harm;" and then he asked me to state what I wanted and I told him "10."

7436. What did you mean by that?—I meant 10*l.*

The Chairman informed the witness that he was not bound to answer any question that criminated himself.

Witness.]—And he said that was too high for what he was commissioned for, and he asked me whether I would have any thing to drink, and he got me a small glass of brandy, and he told me if I stopped there five minutes he would give me an answer; and he went out, and where he went I do not know; and I told him if he was going longer than five minutes I would not stop; and when he came back again he said he would give me eight, and he would put it into a second man's hand till I had voted; he did not name the man; and I said if I voted I must have it myself, and then I went out, and when I got out to the Quay I saw Mr. Graves.

7437. What is he?—A sail maker.

7438. In Yarmouth?—Yes.

7439. Is he a master?—Yes.

7440. Well known there?—Yes; and I walked up to him, and told him if he looked out he would see a rig, and I left him; he did not see the man at the time, and I did not; and I saw him afterwards, and I went home and met Mr. Sloman on the Quay; and he came up to me and said, "Roall, have you made up your mind?" and I said no more than what I told you; give it to me myself, for I must have it myself, and he then left me; I did not see him any more.

7441. You did not get any money for your vote?—No.

7442. For whom did you vote?—Mr. Anson and Mr. Rumbold.

7443. What day of the poll?—The second day.

7444. What rent do you pay for your house?—I am a freeman.

7445. Do you rent any house?—No.

7446. Where do you live?—I live along with my friends, my father and mother.

7447. Do they live in their own house?—Yes.

7448. What is the value of that house?—About 6*l.* a year.

7449. Is it their own house?—Yes.

7450. Do you mean to say that you did not know Mr. Sloman the first time you saw him?—No, not then.

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7451. You say a man called you out of the house that you did not know?—No, the man called me out, and said a gentleman wanted me.

7452. Did you know the man?—No.

7453. Did you know him by sight?—Yes, I know him by sight.

7454. Is he a poor man?—Yes.

7455. Have you seen him since?—Yes.

7456. What is he by trade?—I cannot say.

7457. Do you know where he lives or for whom he works?—No, I know no more than what I have stated.

7458. You mean to say a man whom you do not know, or where he lives, or for whom he works, spoke to you?—Yes.

7459. Did you hear that there was money astir?—Yes.

7460. Do you know who told you?—No, there was a deal of talk.

7461. Who talked about it?—I do not know.

7462. Did any body say that he had got any?—Yes.

7463. Was there a good deal of drink?—There was.

7464. Did you get any drink?—No.

7465. Got nothing for your vote?—Nothing.

7466. You never went into a public house, and got any eating and drinking as a Blue?—Yes, I got a little drink from the Blues on the day I polled.

7467. Did you get any tickets from the Blues?—No.

7468. Did you hear of any other persons by name who had been offered 8 *l.* at that time?—No, I did not.

7469. Or who have been offered 5 *l.*?—No.

7470. To whom did you mention this story first about this offer?—To my brother, when I went home about eight o'clock.

7471. To any body else?—No, not till I gave my evidence in Yarmouth.

7472. You never mentioned it to the Blue committee when you went to vote for them?—No.

7473. You never said you could have money by voting for the Reds?—No, I never saw any money.

7474. Have you said, if you voted for the Blues you would not do so well as if you voted for the Reds?—No, I never have.

7475. What day did you get any drink?—The second day of election.

7476. Did you get none before then?—Yes, I did a little.

7477. When did you come up from Yarmouth?—Wednesday.

7478. Wednesday last?—Yes.

7479. Did you leave on Wednesday or arrive on Wednesday?—I came on Wednesday night.

7480. What did you receive before you came away from Yarmouth?—Two sovereigns.

7481. Did you pay for your coach fare up?—That was paid.

7482. Where are you living now; where did you sleep last night?—At a private lodging.

7483. Where?—I cannot say the name.

7484. Is it near where the coach stops?—Yes.

7485. Are there other Yarmouth people there?—Three besides myself.

7486. Have you ever talked over this matter among yourselves?—No.

7487. Have you not had a single bit of conversation about this business since you have been there?—Yes, we have had some conversation.

7488. Upon this matter?—Yes, no great deal.

7489. What did you talk about?—They had received no money and no more did I.

7490. Did they tell you what they should have to say here, or what they had said?—No.

7491. Did you tell them?—No.

7492. You talked about this election and this inquiry?—No, I told them I came up to speak the truth.

7493. Do you pay your own expenses at this place where you are lodging?—Yes.

George Parker, called in; and Examined.

7494. ARE you a voter for Yarmouth?—No.

7495. Are you a nephew of a man of the name of Thirkettle?—Yes.

7496. Before the election, did any gentleman speak to you about your uncle's vote?—Mr. Thomas Garwood.

7497. Did any other gentleman speak to you?—Mr. Thomas Christmas.

7498. What are they?—Mr. Thomas Garwood is a clerk to James Harry Palmer, and Mr. Christmas is a captain at sea.

7499. What did they say to you?—They asked me to ask my uncle for his vote.

7500. State all that passed?—I then made answer to Mr. Garwood, "What did you go, when the barrister was down, to deny my uncle's vote for;" he says, "Because I thought he would vote against me." After that, Mr. Garwood and I parted; he came to my house, and brought my uncle half a crown, and said, "That was half a crown ticket, that was sent for to nourish him with."

7501. Did you know that this ticket was left?—Yes, I was at home when it was left; they said, persuade your uncle to vote for him.

7502. Who said this?—Mr. Thomas Garwood said it to my uncle in my presence; my uncle told him that his father was a Blue before him, and his brothers were all Blues, and for that reason he would not vote Red. He made answer to him, and said, if he did not vote Red, he would lose his coal-meter's place; he then left my house that night; about a week after that he came again.

7503. The same Mr. Garwood?—Yes, and brought him another half crown ticket.

7504. Were you then at home?—Yes, at about eight o'clock; one night he told him that he would give him some clothes, for to go up to vote for the Reds, if he would go. He gave my uncle a coat; then he left my house that night, and came on the election morning; he and Mr. Thomas Christmas; my uncle told him that he would not vote for the Reds.

7505. What did he say?—He persuaded him to go up with him to poll; he told him that he would not go up to vote for him, because his father and he had been blackguards to him, Mr. Christmas. He and my uncle and Mr. Thomas Garwood went arm-in-arm, my uncle walking in the middle of them.

7506. Did you go?—Yes, I walked behind them.

7507. What you are about to speak of, you heard yourself?—Yes, we went over to the Fish-stall house.

7508. Is that a public-house?—Yes; Mr. Robert Wylie keeps it; Mr. Charles Simes and Mr. Marglon, the chemist, came in.

7509. Was any body else there?—Mr. Thomas Christmas and Mr. Garwood, Mr. Charles Simes and Mr. Marglon and Mr. Wylie.

7510. Was Mr. Costerton there?—No, he came in just afterwards, and asked my uncle if he would vote for them; Charles Simes shook hands with him; he told him yes, if they would pay him for it, but they should pay him well if he did; they asked what he wanted; he told them to give him five sovereigns; Mr. Charles Simes offered him three; then they went backward, and when they went backward Mr. Wylie brought the money up to the door, and held in his hand the five sovereigns for his vote, if he did go and vote for them; my uncle made answer to give it to his kinsman, and I took it and put it into my pocket. Mr. Garwood gave my uncle a card, with Praed and Baring's name upon it.

7511. What was that given him for?—So that he might not forget the names; my uncle and Mr. Thomas Garwood and Mr. Christmas walked up to the poll, and he polled for Praed and Baring; that is all that I know about it.

7512. Did Mr. Costerton come in?—Mr. Costerton came in and said, persuade him to vote for the Reds, for the sake of me.

7513. Did you see yourself, any thing about tickets?—Yes, I saw the three first half-crown tickets before the election; after the election, Mr. Garwood sent his clerk down to my house with a 5*s.* ticket and two half-crown tickets.

7514. They were sent to your house?—Yes; my wife and I went and took them and cashed them, in Mr. Fenn's, in the market, and got 3*s.* 6*d.* of grocery and 6*s.* 6*d.* of money.

7515. Was this a new coat that your uncle got?—No, it was one of Mr. Garwood's left-off ones.

7516. Have you told all you know?—Yes

 7517. Was

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7517. Was this the first or second day of the election, when your uncle polled?—The first day, about ten o'clock, when they came to my uncle.

7518. Is not your uncle a little unsound in mind?—Only when he drinks.

7519. And he gets a good deal of drink in election times?—No, he did not get very much.

7520. He is sometimes unsound in his mind?—Yes, when he drinks.

7521. Is he competent to state his own story when he is sober?—Yes.

7522. Were you sober all that day?—Yes.

7523. You say, that this morning he asked five sovereigns, and the gentleman offered him three; did he refuse 3*l.*?—Yes.

7524. And they immediately gave him five?—Yes.

7525. Without any hesitation?—Yes; Mr. Robert Wylie gave it me.

7526. When did this happen about the coat?—On the Sunday night.

7527. At what time in the evening?—I should think at half-past seven; between seven and eight.

7528. Was it dark or light?—Dark.

7529. In which room of the house was it?—The lower room; I have only one lower room and a chamber.

7530. What does your uncle work at?—He is a coal-meter.

7531. Does he attend to that business?—No, he is on the half box.

7532. How long has he been on half-pay?—About six years; between five and six years.

7533. What sort of bodily health is he in?—Very good.

7534. Why is he put on half-pay?—Because he was not fit to carry it on; he got drunk one day.

7535. Is it not general to discharge altogether for drunkenness; do you know of any other instances of coal-meters being not discharged for drunkenness, but put on half-pay?—No, they never discharge them, they put them upon half-pay.

7536. Has your uncle voted at previous elections?—Yes, for the Blues.

7537. If they get on half-pay, and they get drunk again, are they never cut off?—No.

7538. What do they get?—They get half the money.

7539. Do they buy their places?—Yes.

7540. What do they give for them?—My uncle gave 200*l.* for it.

James Thirkettle, called in; and Examined.

James Thirkettle.

7541. ARE you a voter for Yarmouth?—Yes, I am.

7542. Is Parker a nephew of your's?—Yes.

7543. How did you vote at the last election?—Red.

7544. As a freeman or a householder?—Freeman.

7545. Were you canvassed before you voted by the Reds?—No, I was not; I was canvassed by Mr. Garwood.

The Chairman informed the Witness that he was not bound to answer any question that criminated himself.

7546. Were you canvassed by Mr. Garwood and Mr. Christmas?—I was canvassed by Mr. Garwood.

7547. Will you state what passed between you and Mr. Garwood about your vote?—He asked me whether I would vote for the Reds, and I told him that I would rather vote for the Blue party, as my family had always done before me.

7548. State the whole that passed?—Then he asked me twice or three times whether I would vote for the Red party, and I told him that I would rather vote the Blue party, as my family had always voted Blue. After that I voted for the Red party.

7549. What happened on the day that you polled; did any body come for you?—Yes, Mr. Garwood and Mr. Christmas.

7550. Tell the Committee what happened then?—Mr. Garwood and Mr. Christmas called on me. I was not up in the morning. I went directly along with Mr. Christmas and Mr. Garwood to the polling booth, and polled for the Red that same morning.

7551. Did you go with Mr. Garwood and Mr. Christmas anywhere?—No; I was at a public house called the Fish Arms, and they asked me if I would vote for the Reds, but I told them then that I would rather vote for the Blues.

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7552. State what passed there?—They asked me again if I would vote for the Red party, and I voted for Baring and Praed.

7553. What passed at that public house?—They asked me if I would vote for the Red party, and I said yes; as Mr. Garwood, of Yarmouth, was a friend of mine, I would vote on account of him.

7554. Is that all that passed?—That is all that passed.

7555. Did you not get some money?—I got two sovereigns, after a month.

7556. What did you get at the time?—I did not get it.

7557. Who did?—This young man that went with me; young Parker did.

7558. Did you see the money paid?—Mr. Wylie was the man that paid him the money.

7559. What was it paid for?—Upon account of the vote, I take it.

7560. Was that money given to him with your consent?—No; I told Mr. Garwood that he might do as he liked. I said I would not vote for the Reds, unless it was paid for, and he might do as he liked.

7561. And then this money was paid to Parker, and you voted?—Yes.

7562. Who went and polled with you?—Young Christmas did, and a young man, a coal-meter, went with me.

7563. Did you get any tickets afterwards?—There were two sent.

7564. Do you live in your own house?—I lodge along with Mr. Parker.

7565. What do you pay for your lodgings?—Seventeen shillings and sixpence for board and lodging.

7566. You are not a ten-pound householder?—No.

Mrs. *Maria Cook*, called in; and Examined.

Mrs. *Maria Cook.*

7567. ARE you resident in Yarmouth?—Yes.

7568. What are you?—I keep a lodging-house.

7569. Do you recollect the time of the last election?—Yes.

7570. Did you observe any gentlemen of the town of Yarmouth and a voter there speaking to one another at any time?—Yes.

7571. Will you state what you saw and heard. Did you hear any conversation with any person, a freeman as you suppose, on the subject of voting?—Yes; I saw a gentleman talking to a man, and he took hold of him, as he was walking a little way, just at the time of the pigeons being put up by the Red booth; and I saw that that man had a blue colour on his hat.

7572. Not the gentleman?—No, the poor man.

7573. How was he dressed; was he dressed in a sailor's dress?—He looked like a sailor; he was a littleish man.

7574. Did you hear the gentleman say any thing to the sailor?—Yes; I heard him say something. I heard him say so far, would he vote for them, and the man said that he was always a Blue; his father was a Blue, or something in that way; and the answer was, never mind that, or something like that; it will be for us, or something in that way; and the man said "no," he should not; he should be a Blue; he always was a Blue before, and he would stick to it, like a sailor's way of talking, and I did not take particular notice; but bye-and-by, when the gentleman went up, I thought again of the man, and I turned round again and saw this gentleman, and then they turned up a row to speak to each other.

7575. Was that turning up the row, as it appeared to you, for the purpose of getting out of observation?—Yes; I thought I would look, and I said, "I wonder what you are after;" for I formed to myself that it was like barking; and I think I said "you are good for nothing old rogues." Yes, I did. "You should not do such a thing as that."

7576. As what?—Wanting to get a man of his colour.

7577. Had you heard any thing which led you to believe what you suspected?—Yes, I heard a word or two before.

7578. What words had you heard?—I heard him say that he would give him some money, and the man said, "You will not;" and he said, "Yes, I will; I will give you some sovereigns;" ten sovereigns, I think it was.

7579. Did you hear ten sovereigns?—Yes, he put his hand to his pocket at the time he mentioned the money.

7580. And then you made the observations you have mentioned?—Yes.

7581. Did you see that same sailor-man afterwards?—Yes, I went out of the shop, and was there for some time; I cannot tell how long; and when I came

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out again, I think I saw the same man; it appeared to be like the same sort of dress, and he had a red colour on his hat, and he was going out across towards the Red booth, and he was putting his arms up, singing a tune that they go about with drums.

7582. Do you know the name of the gentleman?—Yes, I do.

7583. What is his name?—I think it was Mr. Penrise.

7584. Do you know the name of the sailor?—No.

7585. What day was this?—I do not know what day it was; much about the time of the pigeons going up; I should think it was the last day.

7586. It was during the election?—Yes.

7587. While the polling was going on?—Yes, it was in the time of the men coming out and putting up those bills.

7588. Was it whilst the polling was going on?—It was at the time when they were putting out the bills for each booth.

7589. Announcing the numbers?—Yes.

7590. But you do not know whether the first or the second day of the election?—No, I do not know.

7591. Do you know what day of the week it was?—No, I cannot say; I can only say that I was up two days with my little boy.

7592. Can you carry back your mind so as to say whether it was the first or second day?—I do not know whether I could.

7593. It was on one or other of those days, when they were putting out the numbers from the booths?—Yes, I should think it was the last day; it was the time that the boys were putting up the pigeons, saying that they were for Mr. Anson to fire at.

7594. At what time of the day was it?—It was before I took my own dinner.

7595. What time did you dine?—I do not dine till two o'clock myself.

7596. Do you know what time of day it was?—No; it was before that time.

7597. Do you know the sailor by sight?—I think, if I was to see him, I should know him.

7598. Did you know him before this?—No.

7599. When you were asked whether he was a voter or not, why did you say a freeman?—He said he always was a Blue.

7600. He might have been a Blue, and yet a 10*l.* householder?—Yes.

7601. He did not say that he was a freeman?—No; I was very sorry to think that this had been mentioned at the time of the election.

7602. How near were you to Mr. Penrise, when you said, "You are an old rogue"?—Some yards, when I called, but I made haste away, because I thought it was not very proper to say to a gentleman, and I was ashamed of it, so I got away as fast as I could.

7603. You hallooed out, "You are an old rogue," and you ran away, in fact?—Yes.

7604. Which Mr. Penrise is it?—The gentleman that lives at the large house in the corner; I think it was he.

7605. Are you not sure; how long have you lived in Yarmouth?—Several years.

7606. Do not you know Mr. Penrise, who lives at the large house?—Yes.

7607. Was it, or was it not he?—It looked like him.

7608. Was it he, or was it not?—I should think it was.

7609. You have lived a long time in Yarmouth, you know him very well, and he is a gentleman that lives at the large house, and he is well known in the town; was it, or was it not he?—I certainly have reasons to think that it was.

7610. But you knew him before?—I have seen him; I never spoke to him.

7611. He is a gentleman well known in the town?—Yes.

7612. Did his father live there before him?—I believe he did.

7613. He was a medical gentleman in the town, to whom the late Lord Chidwell left all his property?—I did not know his father.

7614. The family have been long established in Yarmouth?—Yes.

7615. Mr. Penrise constantly lives in Yarmouth?—Yes.

7616. Had you seen him before?—Oh, yes, I have seen him walking past where I am.

7617. Had you an opportunity of observing him for sometime in this lane?—Yes, it looked certainly like him.

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7618. Was it, or was it not, Mr. Penrise?—I really had every reason to think it was he.

7619. Was it, or was it not; you must know; did you see his face?—Yes, I did, and I think it was.

7620. It was in the middle of the day, it was not dark, and you had ample opportunity of observing, and you are asked now whether it was or was not he?—I think it was; I am sure it was.

7621. Did you see his features?—Yes.

7622. Did you think it was Mr. Penrise at the time of this transaction?—Yes, I did think it all along.

7623. And do you think so still?—Yes, and shall always think so.

7624. Have you any doubt about it?—I should think it was; it is some time since, that I have not kept it in my mind; I spoke of it in the election.

7625. Did you get any answer from Mr. Penrise?—He turned his head round and said something, but what it was I cannot say, "What did that woman look for, or something," there was a something said.

7626. Did he go on talking to this sailor?—I left them.

7627. You did not see any money paid?—There were so many people in the market, everybody was looking.

7628. Many persons must have seen what was going on?—I dare say other people saw it.

7629. And other people might have heard you call Mr. Penrise an old rogue?—I did not mention any name.

7630. You say others were present when this happened?—Yes.

7631. And they must have heard as well as you, those persons who were present?—I went to the corner of the row.

7632. There were not many persons there?—There were a great number of persons quite busy and pushing; I was glad to get out of the mob; I should not have gone but I had to go to the shop opposite; when I went the day before, I went to the back.

7633. Did you mention at the time what you had seen?—Yes, when I got home I told two gentlemen of it before the poll was closed, and said, "What a shame it was that there was a gentleman buying a vote, what a shame is it to serve poor Mr. Anson in that way; he is a very nice young man, and they are buying that vote."

7634. Mr. Anson is a favourite of the ladies at Yarmouth?—I cannot say; he bears an excellent character; I have as many friends in the Reds as I have in the Blues.

7635. Do you know Edward Boys or Samuel Stevenson?—No, I may know them by sight, but not by name.

7636. Was it either of those men that you saw?—If I were to see them I could tell.

7637. Do you know Samuel Maddison?—No.

7638. You do not know who this man was?—No.

7639. Had you seen him before?—No, I did not notice him so much.

7640. Whether he was a Yarmouth man or a Gorlestone man you cannot say?—No, I should say he was a seaman.

7641. You are positive it was 10*l.* which was mentioned?—I heard the words "I will give you ten pounds".

7642. Did he say ten pounds or ten sovereigns?—In sovereigns it was, but I am sorry that from my mentioning it, there should be any thing like this, because it put me to an inconvenience coming; I have told the truth so far as what I saw and know, because there were other persons walking up and down the market, men, women and so many people they kept calling out, but since names are put to me, I shall not name any other names of whom I saw.

7643. Can you name any more?—Yes, but I will not; I am so very sorry to think that I should have mentioned it, that I will do nothing of the sort again.

7644. Did you see any other gentleman?—Yes, I saw another gentleman.

7645. Did you hear any other gentleman offer any money to any body else?—No, but I heard a gentleman tell him that he would give him employment in a vessel; give him a berth to go to sea.

7646. Who was that gentleman; you are bound to tell the Committee all you know?—It was Mr. Costerton.

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7647. To whom did he say this?—I do not know who they were; I know Mr. Costerton was very busy all that day, standing at the corners of the streets talking to young men as they passed.

7648. You understood this gentleman to ask these men to vote for Mr. Praed and Mr. Baring?—I never heard any names.

7649. You do not know who he was asking them to vote for?—This man had a blue colour, and he was wanting him to change the colours.

7650. How do you know that?—Because he was nipping him by the arm, and calling to him.

7651. You thought that wrong of Mr. Costerton, to ask him to change his colours?—I did not say any thing to him, for I got away.

7652. If you had heard any body ask a Red to change his colours, should you have thought that equally wrong?—I should, because I have friends both Blues and Reds.

7653. Did you hear what Mr. Costerton said?—Yes; "Come," said he, "you shall never want a berth."

7654. Was sort of a man was that?—A little man, with his hands all tarry.

7655. Was he a sailor, or a twine-spinner?—I cannot tell, for they are all alike.

7656. Supposing Colonel Anson, the favourite of the ladies, were to ask a Red freeman's wife to get her husband to vote Blue, should you see any harm in that?—I do not know, but he was a good man; Mr. Anson has been many times in Yarmouth, and he always had such a very nice behaviour.

7657. Did you ever hear any friend of Colonel Anson offer employment to any body?—Never; I have heard different persons say, that if they had paid the two guineas they might have got it, but the Red gentlemen paid it; they gave presents, and that is the reason they got in.

7658. You saw Mr. Penrise speaking to somebody?—It looked like him; it was the dress that he always wears.

7659. You heard Mr. Costerton speak to some body; did you hear any others speak?—No, I did not; I might have, if I had paid that attention, but I did not.

7660. You said that Mr. Costerton was very active and busy?—Yes, he was; I saw him myself, and saw gigs going from Mr. Francis, sent across the back way of the Deans with people; twice or three times I saw the people going to the Deans, and I said, those men are going to the back way, on purpose to stop them from giving their votes.

William Cleveland, called in; and Examined.

William Cleveland.

7661. WHAT are you?—A countryman, in the labouring line.

7662. Do you live in Gorlestone?—Yes.

7663. Are you a voter?—Yes.

7664. Do you vote as a freeman or a householder?—As a householder.

7665. How did you vote?—Blue.

7666. Do you recollect, a litte before the last election, a conversation with a man of the name of Goose?—Yes.

7667. And with a man of the name of Winter?—Yes.

7668. Will you state that in the order it occurred?—I being a poor man, was in employ with Mr. Goose; he was moving his furniture, and coming to live close to me, and so he says, "I can help you to a little money, if you be ruled by me; I know you stand in need of some." He was going to Yarmouth, and he said, "Go along with me." At first he took me to Mr. Kemp, and told him he had brought a voter to him, and a 10*l.* man, and Mr. Kemp gave him a glass of grog along with me, and I promised that I should vote for Mr. Anson and Mr. Rumbold; and on the Saturday before the election commenced, I was in Yarmouth market, and Mr. Goose was there, and he said, "Come this way," and he led me into a stall, and Henry Winter, and, says he, "Here is Cleveland, he is a strong Blue; try whether you can do any thing with him, for I cannot turn him." He said, "What do you want;" I answered and said, "What you cannot give me;" he said, "How do you know that;" "Why," said I, "I know you cannot;" he said, "What!" I said, "Money;" he said, "How much;" I said, "More than you will give me;" after a few words of hesitation, he said, "Name some sum;" I said, "10*l.*;" "Well," said he, "I will give you 6*l.*;" "No," said I, "I shall not do no such thing;" said he, "Come up again, you are not going

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going away just yet, let you and your wife come up, and we will have a glass of wine together." After my wife had done keeping the market we went past the stall, and he beckoned me again, and he said, "What do you say;" and I said, "I shall not take any such money as that;" said he, "Go and have something to drink;" I said, "You are not going to buy me so;" I said, "Certainly I can go and drink as a friend, but nothing better;" so he took me and my wife to the Fish-stall house, and he called for a couple of glasses of mixed liquor; whether it was brandy or rum, I will not say, but we had each of us a glass, and he went out, and was gone out some little time; and when he came again, he said, "Come this way;" and he led me out to the back apartments of the house, into the street, between the scullery and the house, and there stood three gentlemen, and one of them said, "Well, friend Cleveland;" "Servant," said I; "my name is Thomas Baring," said he; "you know me," I said; "I have seen you," said he, "Would you be so good as to give me your vote;" I said, "I do not know that I shall;" said he, "What do you want," I said, "Money;" he said no more to me, but one of the other gentlemen that stood by him called me on one side, and he asked me what I wanted, and I told him 10*l.*, and he offered me 6*l.*, and I hesitated; but a very little while before, I said to him, "but when am I to receive this;" "As soon as you have polled;" I made my obedience to him, and I said, "I wish you good night," and my wife and I left him, and we took our things, and away we went down the new street, and turning off the new street on to the Quay, from another quarter out of the market, I saw Mr. Henry Winter and Mr. Goose making for my cart towards the bridge; there he met me again, and offered me 6*l.*, but I told him I should not take it.

7669. Which of the two offered the 6*l.*?—Winter; he said, "If you be afraid of me, I will put it into Mr. Goose's hands for you; and," said he, "you may have some of it to-night, then;" and I said I should not take it, and left them then and went home.

7670. Is that all you know?—Yes.

7671. Did you say, when they took you to Mr. Kemp, you were going to vote Red?—No.

7672. What did you say then?—Mr. Kemp asked me which way I had promised, and I told him I had promised to Mr. Anson and Rumbold.

7673. You did not go to parties representing Anson and Rumbold?—No, I told him.

7674. Did you promise Kemp that you would vote for Anson and Rumbold?—I cannot say that I promised him.

7675. Is Kemp a Red or a Blue?—He is a strong Blue.

7676. Is Mr. Goose a voter?—I do not know.

7677. Do you know whether he voted?—I do not know.

7678. Did he vote Red or Blue?—He voted Red for the county.

7679. Is Red in the county the Tory, as well as in the borough of Yarmouth?—Yes, it was.

7680. Did you not think it odd, that Mr. Goose, a Red, should take you to Mr. Kemp?—I thought it so, and therefore it gave me a strong impression to vote for the Blues, because I thought he was after deceiving me.

7681. You did not think the glass of grog you had a deception, that was real?—Yes, he gave me a glass of grog as friendship.

7682. You have said something about money being offered, did you take that money?—No, I never took one farthing of any man.

7683. You voted without any money at all?—Yes, I did.

7684. Where were you when you saw Mr. Baring?—At the back of the Fish-stall house, at the back apartments of the house; went out the back way of it.

7685. Do you know any one else that was there?—I cannot swear to the people, but they told me it was young Mr. Reynolds that talked to me.

7686. Do not you know young Mr. Reynolds?—I do not know him, possibly I have seen him, but I could not swear to him.

7687. How old is he?—A youngish man.

7688. How old, 30?—I do not know whether he is 30.

7689. Do you know a gentleman of the name of Reynolds, who is about 30?—I do not know.

7690. Is he not 60?—This is a young man that talked to me, and I cannot say that I knew the man, only that they said it was Mr. Reynolds.

William Cleveland.

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7691. You do not know the man you are referring to, with certainty?—No, I do not.

7692. Describe his person?—He was a middle-sized man, with rather a dark complexion.

7693. What age do you suppose him to be?—He might be between 20 and 30, as near as I could tell.

7694. Have you ever seen him since?—I do not know that I have, but I do not take great observations of people.

7695. Had you ever seen him before?—That I would not swear to.

7696. Do you know where he lives?—No.

7697. Or any thing about him?—No; to say whether I have seen the man since or before, I could not; Mr. Baring, I know, because I had seen him before, he came to me and asked me for my vote, when he was canvassing.

7698. But the only person who could by possibility give, an explanation of this story, you neither know by sight, by name or any thing about him?—Only as people told me.

7699. You know Mr. Baring by sight?—Yes.

7700. Have you no doubt that it was Mr. Baring that spoke to you, and asked you for your vote in the back of the Fish-stall?—No, he had been canvassing me before at my house.

7701. Were you at the back of the house of the Fish-stall?—Yes, a room at the back of the house.

7702. And there you met Mr. Baring?—Yes.

7703. Somebody offered you six pounds?—No, not in the room.

7704. He called you aside?—Winter came back again; he went away; he had just come up with Winter.

7705. When you gave your evidence you said that somebody had called you aside, after Mr. Baring had spoken?—Yes; Winter called me out.

7706. Mr. Baring could not hear?—Mr. Baring was abroad, and I was abroad; Mr. Winter came into the room, and called me out.

7707. Did he leave Mr. Baring in the room?—Mr. Baring was never in the room.

7708. When the party who spoke to you offered six pounds, was it possible for Mr. Baring, from the place where he stood, to hear that offer made?—As near as I was, Mr. Baring might stand here, and we were at that corner.

7709. There were people standing between you?—I do not know that there were any close by.

7710. Do you suppose that he heard the offer?—I should think he did.

7711. Tell the Committee what Mr. Baring said to you; who spoke first?—Mr. Baring spoke to me first, "Well, friend Cleveland," and gave his hand to shake hands with me, "would you be so good as to give me your vote," and I told him I did know. He said, "what do you want; do you want money?" I said, that is what I want.

7712. Did he say, "Do you want money?"—Yes; he said no more to me then. The other took me alongside; that I suppose to be Mr. Reynolds. Not Mr. Reynolds—I have made a mistake; young Mr. Paget.

1713. Then, in all this story you have told before of Mr. Reynolds, you have been mistaking him for Mr. Paget?—If I did say Mr. Reynolds before, it was Mr. Paget; they told me it was young Mr. Reynolds; it was Paget. I was laughing about it, after I had told them that, I then wished them good night; they said, "Do you know who that was?" it was Mr. Paget.

7714. This man took you on one side?—Yes.

7715. What did he say to you, who spoke first?—He asked me how much I wanted; I told him that I wanted ten pounds, and he offered me six pounds.

7716. What took place then?—Very little indeed, before I asked him when I should receive this money; he says as soon as you have polled. I made my obedience, and wished him good night.

7717. Was Mr. Baring gone then?—He was standing at a little distance.

7718. Did you wish Mr. Baring good night?—No; that gentleman that was talking to me.

7719. You did not speak to Mr. Baring?—No; no more than when he asked me what I wanted.

7720. When was this?—The Saturday before the election; on the market day.

7721. At

7721. At what time in the day?—In the afternoon; I suppose about three or four o'clock. *William Cleveland.* 8 August 1835.

7722. A good many people were about?—Yes.

7723. Who could see what was going on?—There were a great many people about.

7724. They asked you afterwards to whom you had been making a bow, and you said you did not know; and they said it was Mr. Paget?—Yes.

7725. Did you tell them what he had said?—I cannot say any but my own wife.

7726. Who else besides?—If you would give me ever so much I could not say.

7727. You cannot tell any one person to whom you told it?—No, I cannot say.

7728. The day on which this conversation took place; was it the day of nomination?—It was on Saturday.

7729. Was it the day on which the members were named?—It was on the Saturday before the election took place, and I think that was on the Monday.

7730. Was it on the day that the nomination took place, the first day of the election?—I did not make any remark of any nomination day, but I am positive it was on the Saturday before the election took place.

7731. Was it on the market day?—Yes.

7732. Did you go to market?—Yes, I and my wife.

7733. Does that fix it in your memory that it was on the market day?—Yes, it was positively on the market day.

7734. Is the Saturday the market day?—Yes.

7735. The first person that spoke to you was Winter?—Yes.

7736. You were in the room when Winter came to you?—He took me to the Fish-stalls, and then gave my wife and me a glass of grog, and left me.

7737. He came back?—Yes, and called me out of the room.

7738. When you went out of the room with him, was there Mr. Baring?—Mr. Baring and two other gentlemen with him.

7739. And there it was, as you call it, abroad, that this conversation took place?—Yes.

7740. Who was the second gentleman with Mr. Baring?—I do not know.

7741. What became of Mr. Winter when he brought you up to Mr. Baring?—I suppose he went back to his stall, for I saw no more of him till I met him on the Quay.

7742. Then he did not hear this offer?—I am not positive, but I met him at the cart, and he offered me the money again.

7743. Is it not usual for gentlemen to be canvassing in Yarmouth with those persons who are best known about the town?—Without doubt it is.

7744. Is it not very strange that the only two gentlemen that were with Mr. Baring at that time, those two gentlemen you did not know?—No, I do not know the people there; I know but very few in Yarmouth.

7745. You live in Gorlestone?—Yes.

7746. Are you often in Yarmouth, except on market days?—No.

7747. After you had made your obedience to this gentleman you left the party?—Yes.

7748. Was it afterwards that Winter and Goose came to you when you were going away in your cart?—We took our way to the New-street, and turned on to the Quay on the right hand, and when we got a little way on the Quay I saw Mr. Goose and Mr. Winter coming another way to the cart.

7749. Did you tell either of them any thing about this offer?—Yes, he asked me, "Did you get through?" "No," said I; he said, "how much do you want?" and he said "I will give you 6 *l.*"

William West, again called in; and Examined.

7750. WILL you look round the room and tell the Committee whether you see Mr. Lacon whom you stated to have seen at the room which Mr. Laws had?—Yes, I think I saw that Mr. Lacon there—[*Pointing out Mr. John Edward Lacon.*] *William West.*

7751. When was that?—I cannot say; I do not know what day it was.

7752. Nor the time?—No.

7753. But you have an impression that you saw him there?—Yes.

7754. Are you sure that you saw him there?—I saw so many faces; but I think I did see him.

William West.

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7755. Does that arise from the impression that Mr. Lacon took an active part in the election?—Yes, I think I saw Mr. Lacon in Mr. Laws' room.

7756. Are you aware that Mr. Lacon was confined to his bed during the election?—I am certain that I saw Mr. Lacon prior to the election.

7757. Was it on the day of election you saw him?—I cannot say.

7758. You were engaged for five days by Mr. Laws?—Yes.

7759. And you think during those days you saw Mr. Lacon in the room occupied by Mr. Laws?—I cannot say what day it was.

7760. Will you state that you did see him there?—I should be very sorry to state positively, because I would not state it unless I were certain of it.

7761. Have you any other reason for thinking so than knowing that Mr. Lacon was an active partisan?—No, I have no other reason.

7762. You could not call to mind any time that you saw Mr. Lacon there?—No.

7763. But you think it very probable that he was there, and that is your ground of belief for saying that he was?—No, I think I saw Mr. Lacon there.

7764. If it should turn out hereafter that Mr. Lacon was confined by illness to his bed during those days, you would be convinced that you were under a mistake as to seeing him?—Yes.

7765. Had you known Mr. Lacon by person before this time?—Yes, I have seen Mr. Lacon.

7766. Often?—Very often.

7767. From having seen him very often, is it the best of your belief, that during those five days you were occupied by Mr. Laws, you saw him in that room?—Yes, it is the best of my belief.

7768. Should you have had any doubt about it, if the doubt had not been now suggested?—No, I should not.

Leonard Groom.

Leonard Groom, called in; and Examined.

7769. YOU are a waiter at Yarmouth, at the Angel?—Yes.

7770. Do you know George Fisk, of Yarmouth, a hairdresser?—I know three or four of that name.

7771. Fisk a hairdresser?—I know Fisk, a hairdresser.

7772. He dresses your hair?—Sometimes.

7773. When did you come up here?—I came up on Tuesday evening, on my own private business.

7774. Are you willing to be examined as to any thing you know about the election?—As far as I know; I know nothing about it.

[*The Committee declined to pursue the examination of this Witness*]

Miss *Hannah Gillom*, called in; and Examined.

Miss *Hannah Gillom.*

7775. YOU are resident in Yarmouth?—No, I was visiting near Springall during the election.

7776. Do you know a man of the name of Hanchard?—No.

7777. Did you go in whilst you were at Yarmouth on this visit to the shop of Springall, a tobacconist?—Yes.

7778. Did you see any party there?—Yes.

7779. Whom did you see and what were their situations?—I saw Mr. Lacon; I can name no other.

7780. Were there other persons there?—Yes.

7781. Which Mr. Lacon?—John.

7782. What was the situation of the persons, were they all in the shop?—Yes.

7783. Did you hear any thing as you passed through about money?—Nothing.

7784. Have you not said that you did?—Not in the first going in.

7785. Will you state at any time when you did go in whether you heard a conversation, and what it was?—Very indistinctly as I passed a darkish entry or passage; I heard 15*l.* indistinctly.

7786. Was Springall there?—There were four, I think.

7787. And Springall, the keeper of the shop?—I cannot speak to any that were there but Mr. Lacon.

7788. Which

Miss *Hannah Gillom.*

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7788. Which Mr. Lacon was it?—John.

7789. Which John?—The son of Mr. Mortlock Lacon.

7790. Is he a custom house officer; do you know has he a situation in the customs?—I believe he has.

7791. Then all you know is that there were four persons there, one of those persons Mr. John Lacon, and as you passed through, the sum of 15 *l.* was mentioned?—Indistinctly, I heard.

7792. But sufficiently distinctly to know that that was the sum?—Yes.

7793. Did you hear whether the money was accepted or refused?—Nothing further.

7794. Do you know who mentioned that sum of 15 *l.*?—No.

Mrs. *Ann Page,* called in; and Examined.

Mrs. *Ann Page.*

7795. YOU are the wife of Robert Page?—Yes.

7796. Is your husband a voter for Yarmouth?—Yes.

7797. Do you know whether your husband was canvassed during the election?—Yes, by both parties.

7798. Did you ever hear any person promise him any money?—I never heard any person promise him; I have heard my husband say that he was offered money.

7799. Do you know a person of the name of West?—Yes.

7800. Do you remember him coming to your house?—Yes.

7801. Did your husband go away with West?—Yes.

7802. You do not, of your own knowledge, know where he went?—My husband told me, but I do not of my own knowledge know, that he went to Mr. Laws.

7803. Did he tell you as soon as he came back?—Yes.

Mr. *William Barth,* called in; and Examined.

Mr. *William Barth.*

7804. YOU put in a return of the number of days for which the poll lasted from 1807 to 1835, is that correct?—It is, except in the one instance which I have mentioned.

[*The same was delivered in, and read, as follows:*]

Elections at Great Yarmouth.

1807,	8th and 9th May	2	days polling.
1812,	W. Barth has no return, but thinks	2	„ „
1818,	17th, 18th and 19th June	3	„ „
1820,	7th, 8th, 9th, 10th and 11th March	5	„ „
1826,	9th and 10th June	2	„ „
1830,	29th and 30th April, and 20th May	3	„ „
1832,	10th and 11th December	2	„ „
1835,	6th and 7th January	2	„ „

7805. Have you a return of the number of freemen who voted in the elections of 1832 and 1835 for Mr. Anson, Mr. Rumbold and Mr. Colville, and a return of the number of householders that voted in the same year?—I have.

[*The Witness delivered in the same, which was read, as follows:*]

1832.

Voted for	Anson.	Rumbold.	Colville.	
Freemen	463	475	539	
Householders	366	363	212	1,683
	829	838	751	voters registered.

1835.

Voted for	Anson.	Rumbold.	Baring.	Praed.
Freemen	385	381	576	572
Householders	295	294	196	196
	680	675	772	768

1,616 Voters registered. Population of Parliamentary Borough about 25,200.

7806. Is that return correct?—I believe it to be, I have not made it myself, but I have applied to the best authority to obtain it.

7807. You stated on a former day that the number of out voters that usually voted for the Blues were about 270?—I stated that as the number of out voters residing

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residing in London and its neighbourhood, and Chatham and Sheerness; I did not go to any other place, because there are many other voters as well.

7808. Do you know the least number that voted for Anson and Rumbold?—I do not.

7809. Do you conceive that about 250 will be the number?—I think more than that.

7810. Three hundred?—I am afraid to state any thing like an opinion, without having some data.

7811. Would 300 be a fair allowance?—I think it would be nearer 300 than 250.

7812. You say that the average expense of each out voter was from 20*l.* to 30*l.*?—I stated as far as regards the out voters at London and great distances, not at Norwich or Lynn, or near places.

7813. Will you state the number of out voters in the neighbourhood of London and Sheerness?—Two hundred and twenty.

7814 And the average expense of these was 25*l.* or 20*l.*?—I should think it nearer 25*l.* than 20*l.*

7815. Then what do you suppose would be the total expense of out voters for each election; would 5,000*l.* be about the price?—Certainly, it would be quite as much as that I should think; it would be rather likely to be more than less.

7816. Are you the gentleman who was examined in 1833 before a Select Committee of this House on Corporations, of which the present Speaker was Chairman?—I am.

7817. Do you still hold the same opinions that you have there expressed, relating to the general circumstances of the borough of Great Yarmouth?—Certainly.

7818. Have you ever been privy to any application to any gentleman to stand as a candidate for the borough of Yarmouth?—Yes; I went down to solicit the present Lord Lichfield, but he was on the continent; I saw his father at the time.

7819. Did you yourself, or do you know any other party stating, as a term of his standing as a candidate, that he should pay the vote-money?—I can only speak of the Blue party; certainly not.

7820. It was never hinted that it was absolutely necessary that the vote-money should be paid as usual?—It was understood so; but I do not know it of my own knowledge.

7821. In the case to which you have alluded, was any thing said about the vote-money being paid whether the candidate was successful or not?—I do not think any thing was said; but it was quite understood whether it was said or not.

Mr. *Pritt*, in pursuance of the suggestion of the Committee, proposed to Mr. Barth to admit that from the year 1783 to the year 1831 inclusive, the sum of two guineas has been paid by the candidates, whether successful or unsuccessful, to each voter that applied for it, and whether there was a contest or not, except that in the year 1826, when Sir E. K. Lacon was proposed as a candidate without his consent. Sir E. K. Lacon declined paying the two guineas. That such above-mentioned payment of two guineas was invariably made in accordance with an established custom, and not with any corrupt view to influence the votes of the electors, and the admission was made.

Mr. *William Henry Ashurst*, called in; and Examined.

Mr. *W. H. Ashurst.*

7822. HAVE you adduced any evidence to criminate the Blues?—I have not.

7823. The Committee find from Mr. Barth's statement, that 385 freemen voted for Anson; that 381 voted for Rumbold; that 295 householders voted for Anson, and that 294 householders voted for Rumbold in the year 1835; do you mean to admit that the conduct of those parties is perfectly irreproachable, or do you mean to say that in establishing a case against the Reds, you have not endeavoured to prove the criminality of those who voted for Anson and Rumbold?—I do not mean to say that I have made any efforts to establish acts of bribery as regards the Blues, but I commenced my case by calling the two persons who according to my belief knew every thing about the conduct of the Blues; Mr. Shelley had an ample knowledge, I believe, of every thing connected with the conduct of the elections by the Blues, and I put him before the Committee for the purpose of giving his evidence; he was subjected to cross-examination, and, I believe, he knew every thing

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thing that any gentleman of that party could have known. I have also called Mr. Barth, who is now before the Committee, and who has a general knowledge upon the subject, and as far as my belief goes, there is no other person that could give any information to the Committee, except Mr. Cobb, whom I have had at Yarmouth, and from whom only I could get information, because the clerks whom I sent down were strangers to the town, and all that they could do was to see that what was sent up was pertinent to the object of the Committee; I believe that the Committee have had full opportunity of opening up the sources of information in reference to the Blues.

7824. Do you mean to admit that the 385 freemen who voted for Anson, and 381 freemen who voted for Rumbold, and 295 householders who voted for Anson, and 294 householders who voted for Rumbold, are perfectly irreproachable?—I do not admit or deny the proposition, but I know nothing about them, further than I have stated; I know nothing of the town of Yarmouth; I have no ground therefore for impeaching or reproaching, except such inference as may arise from the statements that have been made, if an inference does arise in any body's mind, it will be worth so much according to its foundation in fact.

7825. Do you mean to say that you have not inquired into the conduct of those freemen and those householders?—I have not inquired into the conduct of those freemen and those householders, and I do mean to add that as far as any thing has come to my knowledge, there are no instances of bribery on the part of the Blues, and I mean to state from the full information which I have had from them that that is my belief.

7826. To Mr. *Barth.*]—You cannot tell the number of freemen that were upon the register and did not vote at the last election?—No, I cannot.

7827. Did you come before this Committee prepared to state every transaction of bribery connected with the Blues?—I stated that I knew of no bribery on the part of the Blues.

7828. Do you think it is possible that any of your colleagues in the election could have been guilty of bribery without your knowledge?—I cannot answer that, but my opinion is that they were not.

7829. Could they have been guilty of bribery as partisans of yours without your knowledge?—Not to be paid by Colonel Anson and Mr. Rumbold.

7830. You are sure that money was not paid by them on that account?—Yes.

7831. If 24 cases of bribery had occurred on the side of the Blues, must you have heard of it?—Yes.

7832. To Mr. *Ashurst.*]—You tender Colonel Anson and Mr. Rumbold to be examined on every matter connected with the election?—Yes.

7833. They must know whether those 295 persons were guilty of bribery; is that your belief?—I do not know that they must know it; but if such bribery existed, I think they must have good cause to know it.

Captain *Grint*, called in; and Examined.

Captain *Grint.*

7834. WHAT is your profession?—Captain in the Royal Navy.

7835. You appear to be examined, if it is wished?—Certainly.

The Committee declined to pursue the examination of this Witness.

Mr. *Ashurst* stated that he had no further witnesses whom he wished the Committee to examine except the bank books to show the source from which the money came, and also Prentice; but in case the House of Commons determined that the question put to Prentice was a question which he ought to have answered, he should then submit to the Committee that Mr. Lacon, Mr. Preston and Mr. Green ought to be further examined; that with that exception he had closed the proceeding.

The committee-room was cleared.

After some time the parties were called in and informed that the Committee were of opinion that it was not necessary to produce the bank books to show the source from which the money came; that Prentice of course remained to be examined, and any further witnesses consequent upon Prentice's examination.

Mr. *Pritt* stated that he, understanding that Mr. Ashurst had closed the evidence, and appearing for the borough generally, should leave the case with the Committee without calling any evidence to rebut the evidence which had been produced.

Martis, 11° *die Augusti*, 1835.

THE RIGHT HON. LORD FRANCIS L. EGERTON,
IN THE CHAIR.

A letter from Messrs. Lacon, Sewell & Company, to Sir James Esdaile & Company, dated Yarmouth, 29th April 1835, was produced, and the following extract read therefrom: "Please make the payment as on the other side, Baring, Brothers, 500*l.*, for account, Thomas Baring per J. E. Lacon," with a marginal note, "send and pay."

Mr. *William Barth*, called in; and Examined.

Mr. *William Barth.*
11 August 1835.

7836. HAVE you procured the amount of the legal expenses as paid by Messrs. Anson and Rumbold?—I have the amount of the returning officer's legal expenses, one moiety of which was paid by Anson and Rumbold, 76*l.* 9*s.*; in addition to that I should first of all state, that the same booth used for the borough election was afterwards used for the East Norfolk election, consequently the expenses were reduced by the same booth being used for both parties, the proportion for the borough election paid by Messrs. Anson and Rumbold, was 31*l.* 11*s.* 6*d.*, making the whole expenses 108*l.* 0*s.* 6*d.*

7837. Does that contain an account of the money paid for stavesmen or special constables?—I think it does, but I have not the account to refer to, therefore I cannot give a positive answer.

7838. Do you know whether you paid any part of the expenses of stavesmen or special constables?—I cannot say, the account having gone out of my hand, what the items of the account are.

7839. Was any other sum paid to either of those officers than the sums you have mentioned?—I believe the sums I have mentioned were all that were paid.

William Prentice was brought up in the custody of the Governor of Newgate; and Examined.

William Prentice.

7839.* *Chairman.*]—YOU having appeared here in consequence of a petition to the House, are aware that the majority of the House have concurred with this Committee in deciding that you were not permitted to take objection to a question asked of you; under these circumstances, it is the duty of the Committee to repeat that particular question, under the expectation that attending here this day, you will change your determination as to answering that question?—I have nothing that I wish to hide from this Committee; but I will ask whether I may not claim the same indulgence that my friends have done on a former occasion, it will appear that they were allowed to go at liberty, without answering any questions relating to the last election.

7840. That is a principle the Committee have not admitted; were there not others who gave you money besides Lacon and Barber?—Yes.

7841. One or more?—One.

7842. Was that part of the 200*l.*?—Yes.

7843. There were Lacon and Barber and one other person, that contributed to the amount of 200*l.*?—Yes, between one and 200*l.*; I do not know the exact sum.

7844. What is the name of that other person?—Green, Mr. William Green, who was before the Committee the other day.

7845. Did the sum of between 100*l.* and 200*l.* of which you have spoken, include all the sums of money you received relative to that election, from any person?—Yes, I believe it did; I think that was the whole.

7846. Are you certain that that sum of money which was represented by 100*l.* or 200*l.*, was the aggregate of the whole you received?—Yes.

7847. Lacon, Barber and Green were the only persons from whom you received any portion of it?—The only persons.

7848. Can you state the reason you had for not naming Green in the first instance, and for now naming him?—One reason was being the defendant in the case; I thought I ought not to be called upon to answer any further; I had not a reason

then

then perhaps for not answering that particular question more than now; but being produced as a defendant, I thought it was a question that ought not to be put.

7849. Why did you make a distinction between Green and Lacon, and Barber, mentioning one and not the other?—I do not know that I had any particular reason; I thought I might commit myself perhaps by saying what I had.

7850. After you had answered so far as you had done, it occurred to you whether you ought to protect yourself?—Yes, that was my only motive.

7851. The Committee have now all you can state with regard to any sum of money and the parties who paid the money?—Yes, they have.

7852. You will exercise your discretion in reference to this question; will you be pleased to state the application you made of several sums of money so given you by Green by Lacon, and by Barber?—I believe that is a question I am not bound to answer, and I beg to decline it.

7853. Will you state, with respect to the sum you received from Lacon, what proportion it formed of the 100*l.* or 200*l.*?—I do not know that I can exactly do that. I should think I received 100*l.* or better of Mr. Lacon, and 50*l.* from Mr. Green.

7854. To whom did you account for the money you received from the three?—I accounted to Mr. Lacon for that I received from Mr. Barber and from himself; but for that I received from Mr. Green I did not intend to account to Mr. Lacon, for I received it of him and accounted to him for it.

7855. How much did you receive from Barber?—I really cannot say, it might be 20*l.* or 30*l.* altogether. I do not know the exact sum altogether.

7856. Which Barber was this?—A young man that is clerk to lawyer Ranney.

7857. For the money you received from Lacon and from Barber you accounted to Lacon?—Yes.

7858. What was the reason of accounting to Lacon for the money received of Barber?—I do not know; of course I had to give some account of the money I received for tickets previous; but Mr. Green's I had no account to give but to himself; I accounted for it to no one else.

7859. Why was it of course that you should account to Lacon and Barber, more than of course that you should account to Green for the money you received of him?—I do not know how to account for it in any particular way.

7860. What led you to imagine you were to tell how you had disposed of the money Barber gave you, and that you were to tell Green how you had expended the money he had given you?—There was no reason why I should not.

7861. Then why did you account to Green for the money received of Green, and give to Lacon the account of the other money?—I believe I accounted with Mr. Lacon for the money I received of Mr. Barber, but I am not quite sure; I believe that was for tickets. There was a certain amount that I had received so much, but this money I received of Green was afterwards.

7862. Was the money you received from Lacon on account of tickets?—Some of it was.

7863. Was the money you received from Barber money on account of tickets?—It was merely for tickets previous to the election.

7864. Was Mr. Lacon the person to whom you were to account for the ticket-money?—I thought the account was to be given to Mr. Lacon.

7865. Why did you think the account was to be given to Lacon, the money having been received from Barber?—I do not know that I can give a very distinct answer to that. It might happen that Mr. Lacon might ask me, when we were talking about other things, about it, and that I might render him the account.

7866. Did it so happen that he did ask and that you did do so?—I think I did.

7867. Did you account to any other person for money received for tickets had through Mr. Lacon?—I had to account with Mr. Barber when I took the money, having received the money from him.

7868. Was it understood between you and Mr. Barber, when you received the 20*l.* or 30*l.* of him, that you were to give the account to Mr. Lacon?—No, and I am not quite sure that I did account to him; but having received the money I had to give an account for it. I think it is very likely I did give him an account, but I am not quite sure.

7869. Had you done so in the first instance?—I am not sure that I did not.

7870. Do you know whether Barber had to account to Mr. Lacon for any money he had received?—I do not know.

7871. What was the reason for accounting to Lacon for the money received of him

William Prentice.

11 August 1835.

him and of Barber, and to Green for the other money?—I can tell you why, Mr. Barber was disposed to have the control of that money which was subscribed for tickets previous to the election. Mr. Lacon paid to him money for tickets used during the days of the election, and I wanted some money sometimes when Mr. Lacon was not in the way, and Green advanced me some.

7872. For what purpose did you want that money which you could not get when Lacon was not in the way?—That I am not bound to say.

7873. You think that answer might criminate yourself?—It might tend to criminate myself. I hope it will not be pressed.

7874. At what time did you receive this money from Green?—I should think it was about the latter end of April or the beginning of May. I advanced the money out of my pocket; and Green having some in his possession, he kindly gave it to me.

7875. Lacon being out of the way was the reason you went to Green for your money?—Yes.

7876. Then if Green had not been in the way, and Lacon had, you would have gone to Lacon?—It is very probable I should have gone to Lacon.

7877. You went to Lacon for money for a purpose which, if given, you would not have stated to this Committee?—I cannot say.

7878. That question you do not wish to answer?—No. I understood Mr. Lacon was out of town.

7879. For what purpose did you receive the other sums you did, in fact, get from Lacon?—I have told you I was to pay the colourmen and tickets for publicans, and tickets in the evening for voters.

7880. The money you received from Lacon was to pay for the tickets, and those other things you have named?—Yes.

7881. Those payments were in your opinion legal payments?—Certainly, I have no doubt of that.

7882. You still refuse to answer the question as to the money you applied to Green for, because Lacon was out of the way?—Yes; I am not bound to answer that question.

7883. Have you had in your possession at any time a petition from the Gorlestone householders?—There was a paper sent to me, begging they might have the money as well as others, but that was never made any use of in any way whatever.

7884. Did not you suggest that petition?—No.

7885. What became of it, it being sent to you?—I never paid any attention to it.

7886. Have you brought it?—No.

7887. When did you last see it?—I have not seen it since, most likely, for I paid no attention to it.

7888. When did you see it likely?—Of course I must have seen it, but I have not seen it lately, and do not know where it is. I paid no attention to it.

7889. When you did last see it, what did you do with it?—That is made away with with other waste paper. I dare say I never made any use of it in any way; it may have been torn into pieces or not.

7890. When did you last see it, and what do you recollect to have done with it?—I have no doubt it is torn up with other waste paper. I never made any use of it, nor presented it to any one.

7891. When did you last see it?—I cannot say.

7892. You cannot approach to any thing near the time?—I have not seen it lately; it was destroyed, I have no doubt, soon after I received it, for I did not consider it my duty to take any steps with it, and have not done so.

7893. What reason have you for thinking that it was destroyed soon after you first saw it; do you recollect the act of destroying it?—I do not know where it is now.

7894. Do you recollect the act of destroying it?—I believe I threw it away with some other pieces of paper?—I do not think there was any particular destroying it in the case.

7895. When was it thrown away?—Directly after I received it.

7896. When was that?—I do not know indeed.

7897. You may not recollect the date; but do you not remember some circumstances with which it stood connected, that will enable you to fix the period at which you destroyed it?—No.

7898. Was it before or after the freemen were paid?—I had nothing to do with the payment.

7899. You

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7899. You recollect the period at which the people were paid?—I never paid them, and had no hand in it; I do not know whether they were paid; I have no business to recollect it.

7900. Whether you have business or not, do you not recollect about the period when they were paid?—I cannot say indeed.

7901. Was it before last December?—Oh, no, it was not.

7902. Then how near can you approach to the period when the freemen were paid?—I have no business to know when they were paid.

7903. It appears by the evidence that they were paid about the middle of April; was that petition, to the best of your recollection, before that time or after?—I do not know; there was a report that the freemen had been paid, and that they were entitled to it as well, but whether they were or not I do not know.

7904, How long after the report that the freemen had been paid was this petition in your hands?—Almost immediately afterwards.

7905. How long after it first came into your hands did you see it; you saw it at that time of course?—Yes.

7906. How often did it turn up before your vision?—I do not know indeed.

7907. Might it be three or four weeks after?—It might be a week or two afterwards.

7908. Not a month or two afterwards?—I really cannot say; I never thought of being asked about such nonsense as that; I never considered any thing at all about it; I threw it away.

7909. Being nonsense, will you have the goodness to tell us when that nonsense was destroyed; how you believe it was destroyed?—I cannot; I believe it was directly after the time; I thought nothing of it, it was no business of mine, and I never interfered in it.

7910. Who brought it to you?—It was sent to my house.

7911. By whom did you understand it was sent?—I never understood; one day, when I came home, it was lying there, but who brought it I cannot say.

7912. You believe it was destroyed with other waste paper?—I have no doubt of it; it was thrown aside altogether.

7913. You may answer this question or not, as you please; did you act upon it?—I never did act upon it.

7914. You have said you never paid Burgess any money?—I believe I did say so.

7915. Did you ever offer him any?—That I am not bound to answer.

7916. How many people had signed the petition?—I should think about 20; there were as many as that, I dare say.

7917. Were they freemen or householders?—Householders.

7918. There was no similar paper from the freemen?—Not to me.

7919. None of the freemen had signed it?—No.

7920. The freemen were paid?—There was a report that they were paid.

7921. When it was reported that they were paid, this paper came into your hands?—Yes.

7922. How many householders are there registered in Gorlestone?—Sixty or seventy, I should think.

7923. Knowing something of the parish, what may be the number of houses above 10*l.* a year at Gorlestone?—Not many.

7924. Are there 10?—Yes, perhaps there may be 20, but it is a thing I never gave a thought to; there are as many as that, I dare say.

7925. Do you know how many there are between 10*l.* and 15*l.* a year?—No.

7926. Do you know how many 10*l.* householders there are registered in Yarmouth?—No, I do not.

7927. You say you will not answer the question, whether you offered Burgess money or not; if you had paid him money, to whom should you have charged it?—No; that is not fair; I appeal to the Chairman to be protected from such questions as that; I have nothing to hide; I am ready to answer every fair question.

7928. You say that nothing was done upon that petition, it was thrown aside?—It was.

7929. Did not you pay the Gorlestone freemen and householders 2*l.* each?—I will appeal to the Chairman, whether I am obliged to answer that question; I am sure the Chairman will protect me against it.

7930. Do you know of any money having been paid, after the year 1832, for vote-money or loss of time?—Not for the election before the last, I believe.

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11 August 1835.

7931. Had any body in Gorlestone a right to vote prior to that; any body but the freemen of Yarmouth?—No, not till the election of 1832.

7932. How many freemen were there belonging to Yarmouth, previous to 1832, resident in Gorlestone?—Perhaps between 20 and 30, but I never took any interest in elections till the Reform Bill passed; I never had a vote till that time.

7933. You are not a freeman?—No, I am not, I am a 10*l.* householder.

[*The following Account was delivered in, and read, being admitted by Mr. Ashurst to be a correct copy of an Account made during the election by the friends of the Sitting Members.*]

No. 1.

FIRST DAY.	ANSON.	RUMBOLD.	BARING.	PRAED.	—
At 11 o'clock - -	49	49	182	181	133
- ½ past 11 - -	154	154	256	255	102
- 12 o'clock - -	207	207	350	349	143
- ½ past 12 - -	229	228	390	390	161
- 1 o'clock - -	284	283	420	420	136
- ½ past 1 - -	305	303	453	453	148
- 2 o'clock - -	324	322	486	486	162
- ½ past 2 - -	335	333	517	516	182
- 3 o'clock - -	335	333	549	548	214
- ½ past 3 - -	413	410	602	600	189
- close First Day -	442	439	634	632	192
SECOND DAY.					
At 10 o'clock - -	511	507	675	672	164
- 11 o'clock - -	589	585	716	713	127
- 12 o'clock - -	633	626	747	742	114
- ½ past 12 - -	644	638	756	752	112
- 1 o'clock - -	652	646	764	760	112
- ½ past 1 - -	652	646	770	766	118
- 2 o'clock - -	669	663	771	767	102
- ½ past 2 - -	677	671	771	767	94
- 3 o'clock - -	677	672	775	772	98
- Final Close - -	680	675	775	772	95
Revised - - -	680	675	772	768	92

[*The following Account was delivered in, being admitted by Mr. Pritt to be a correct copy of the Account made during the election by the friends of the unsuccessful Candidates.*]

STATEMENT of the POLL taken at the *King's Head, Yarmouth,* 6th and 7th Jan. 1835.

—	ANSON.	RUMBOLD.	PRAED.	BARING.	MAJORITY. Blues.	MAJORITY. Reds.
10 o'clock -	62	62	38	38	24	
	102	102	107	107	- -	5
	161	161	146	146	15	
	162	162	191	193	- -	29
	162	162	239	241	- -	77
	201	201	298	300	- -	97
	231	230	368	369	- -	137
	262	261	424	425	- -	162
1 o'clock -	300	299	435	435	- -	135
2 P.M. -	337	335	496	497	- -	159
3 P.M. -	385	382	546	548	- -	161
½ past 3 -	434	431	596	598	- -	162
3 P.M. -	455	452	638	640	- -	183
4 o'clock -	455	452	654	655	- -	199

SECOND

SECOND DAY'S POLL.

11 August 1835.

——	ANSON.	RUMBOLD.	PRAED.	BARING.	MAJORITY. Blues.	MAJORITY. Reds.
½ past 9 -	506	502	658	661	- -	152
	557	553	702	706	- -	145
10 - -	604	600	708	712	- -	104
	617	613	733	737	- -	116
11 A.M. -	675	568	763	771	- -	88
	675	668	766	744	- -	91
12 o'clock -	693	687	780	787	- -	87
4 P.M. -	698	687	780	787	- -	82

Close of the Poll, 82 for Praed and Baring.

Mr. *Edward Foster Church*, called in; and Examined.

Mr. *E. F. Church.*

7934. DID you prepare that account of the state of the poll that has been handed in, as taken by the friends of Mr. Anson and Mr. Rumbold?—I did.

7935. From what materials did you prepare that account?—From the document on which I inserted a copy of the cards delivered by the poll clerks during the time of the election.

7936. You have seen the statement of the poll put in on behalf of the sitting members, can you account for the differences which appear on the two pages, seeing that they refer to the same facts—I believe the difference is created by the tendered votes being included, they were entered on the cards taken by the poll clerks.

7937. Are the tendered votes included in one of the lists and not in the other?—I am not able to say any thing as to the statement given in by the friends of the sitting members.

7938. Are the tendered votes included in the list you produce?—They are.

7939. That will about account for the difference between the two?—I think it does.

7940. The two together approach as near to the truth as under the circumstances the Committee will be able to get?—I think they do.

7941. Do you know the number indorsed on the writ of return?—I am not able to say.

7942. Do you know whether the majority as it appears on the writ was 82 or 92 in favour of the sitting members?—I cannot recollect.

7943. It is your belief from the knowledge you have of the two, that the differences between them would be accounted for by the tendered votes being included in the one, and not in the other?—Yes, I think so.

The Committee determined that the Chairman do report to the House that the witness William Prentice has appeared before the Committee, and has answered the question, for refusing to answer which, he was committed to Newgate; and all other questions which the Committee thought he was bound in law to answer; and that the Chairman do move that he be brought to the bar in order to his discharge.

Jovis, 13° *die Augusti*, 1835.

THE RIGHT HONOURABLE LORD FRANCIS L. EGERTON,

IN THE CHAIR.

Mr. *William Barth*, again called in; and Examined.

Mr. *William Barth.*

7944. HAVE you any paper to produce to the Committee?—I have a paper giving the number of votes registered at elections for 1832 and for 1835.

13 August 1835.

[*The same was delivered in, and read, as follows*:]

Mr. *William Barth.*

13 August 1835.

VOTERS REGISTERED at ELECTIONS for 1832.

Freemen	1,040
Yarmouth Householders	488
Gorlestone and South Town ditto	155
TOTAL	1,683

For 1835.

Freemen	1,039
Yarmouth Householders	441
Gorlestone and South Town ditto	135
TOTAL	1,615

An application was made by the petitioners, and also a similar one by the other party, for their expenses in this inquiry.

Mr. *William Henry Ashurst*, called in; and Examined.

Mr. *W. H. Ashurst.*

7945. ARE there any other items in addition to the list which the Committee are about to read, upon which the petitioners ask for their expenses, serving notices and summonses, investigations at Yarmouth, law agency, fees and expenses of witnesses?—That is all.

7946. How many notices have you served?—About 210.

7947. What are the number of names included in the list which you gave in to the Committee?—I believe 120 or 130; but that will appear from an inspection of the lists.

7748. In consequence of the resolution of the Committee you considered those notices to be absolutely necessary?—Yes.

7949. You refer to notices and not to summonses?—I do; I had served summonses only on the parties who have come before the Committee with one or two exceptions.

7950. Upon how many of those persons upon whom you have served notices have you attempted to fix imputations?—The payment of the two guineas after the election has been fixed upon the whole.

7951. But not in individual and specific cases?—No; but still I was acting upon the resolution of the Committee before any evidence was given when I served those notices.

7952. In my opinion you were not acting in pursuance of those resolutions, but you were acting rather in contravention of them; the resolution applied only to specific cases?—I think not; if the Committee will refer to the words of the resolutions, all parties who may be charged, and I stated to the Committee in the outset that I charged no one, and was not in a situation to charge any one, with the exception of Boys and Stevenson, whose cases had been proclaimed at the hustings, and whose names, therefore, I knew; but I knew of no other name at that time, and by possiblity could not know the names of the parties who had bribed the men; I only knew of the existence of bribery generally.

7953. Were you asked at first, "Are you bound to give notice to any other than those whom you can fix by name?"—I cannot recollect whether I was asked that question or not; but by proving the payment of two guineas, I have, I submit, fixed the whole.

7954. Is not that evidence of general bribery?—Yes, but that cannot be proved, without affecting the individuals who had received the money. When we understood that that resolution of the Committee had been passed, and that I must serve notice on those parties who might be affected, Mr. Shelley said, "I know of no means by which to arrive at the names, unless I go over the polling-list and put a tick against those who I think it is probable have received the two guineas;" he said, "I know the town so well that I must judge respecting those who I think may be affected, and to those persons we gave notice."

7955. Are not the words of the resolution, "who are intended to be charged with bribery," and not who may be affected?—Yes, and I stated at the time that I did not intend to charge any person by name, and I could not do so because I did not know the names.

7956. Did

Mr. *W. H. Ashurst.*

13 August 1835.

7956. Did you not inform the Committee in those terms and what your course would be—" I shall be obliged to give notice to some hundreds of persons, and the great expense to the petitioners is a matter of some consideration to the Committee?"—Yes, and I think that facts have come out which show that I was taking a right view of the case at that time

7957. Can you state to the Committee whether if Mr. Green had been a willing witness, and had answered the questions put to him, all the parties whom you have given notice to would have been implicated by name?—I can state, that in my opinion many of those whom I have served a notice upon would have been affected, I think it very unlikely that Mr. Shelley, who was merely forming an opinion when he ticked the names, always ticked the right man; but in four instances out of five I have no question that he did.

7958. Have you any doubt that by the evidence of the witnesses whom you have called, if they had answered, you would have been able to implicate all the parties served with notice?—I have no doubt of the fact, except in the case of one or two persons who were expected to have received money.

7959. Do you think that you failed in that by the protection which the Committee has offered to those witnesses?—I think that I have, or rather I do not consider that I have failed, because I think that the evidence of Arnold Smith, who made out these accounts, has brought the thing so close, that the case is made out; that is, of course, matter of opinion.

7960. What do you conceive to be the total expense of serving those notices?—I should think the total expense would be from 28*l.* to 30*l.*; I took the most economical mode; I printed them.

7961. Can you give the Committee any idea of the expense of the investigation at Yarmouth, for which you would expect to be remunerated?—No, I do not think that I could at this time; I should say that it may be from 200*l.* to 300*l.* altogether, including every thing except a tavern bill, the amount of which is not in my mind at the time; but I should say that 300*l.* would cover every thing.

7962. You stated that you did not come forward to prosecute the inquiry on a speculation, but that your own expenses were secured?—I did so state, and that is the fact: I had a regular retainer from the petitioners, or rather from two of the principal petitioners, who were quite ample for my purpose, and I so stated, and such is the case.

7963. You can give no precedent of any such allowance being made?—No.

7964. *To Mr. Pritt.*]—Will you state what items are included in your expenses?—Mine will include the investigation at Yarmouth, law agency and committee clerks fees.

7965. Have you called any witness in consequence of that investigation?—No; it was in consequence of that investigation that I have been able to pursue my line, and judging as to the propriety of calling witnesses or not.

7966. Have you a retainer?—Yes, from Mr. Lacon, Mr. Preston, and several other gentlemen.

7967. You appear generally for the borough, and not for the parties particularly implicated in the first instance?—Not for the parties particularly implicated, except Mr. Lacon.

7968. You appear under that letter which was laid before the Committee by Mr. Sherwood?—No, upon the letter that was laid before the Committee by myself; and Mr. Sherwood stated that I appeared for the borough generally; we proposed to merge Mr. Lacon's case in the case of the borough, so as to make one appearance necessary.

7969. You acted individually for Mr. Lacon, Mr. Preston and Mr. Corry?—No, I do not consider that I acted in the individual cases of those four individuals; but that letter enabled me to appear here for the borough. It was sufficient for my purpose that they were upon the register, so as to bring me within the resolutions of the Committee. I apprehend that my clients are almost the whole of the freemen of Great Yarmouth in fact.

7970. Had you a separate letter from Mr. Lacon?—Yes.

7971. But no separate letter from any other individual?—No, not as a party intending to be charged.

Mr. Barth.]—I have no one to look to for the expenses of this inquiry, for this was a case got up without any meeting at Yarmouth or any thing of a public kind, solely from the opinion in my own mind, that bribery to a great extent existed, and I was anxious that it should have an inquiry before the House of

Mr. *Barth.*

13 August 1835.

Commons, and every thing has been done that could be done to save expenes; and I conceive that every thing that has been done must have been done by the Committee, to investigate the matter before them in support of these allegations in the petition.

7972. Do you consider that your personal situation is exposed to greater pecuniary risk than it would have been, in consequence of the unfortunate accident of Mr. Shelley's decease?—Certainly; I could not put Mr. Shelley's father to any expense.

7973. Have you any doubt that you should be able to raise a sum by subscription in the town to defray the expense?—I should be very sorry to have to do it, because those that I applied to might naturally say, you should have come to me before the Committee began.

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REPORT

FROM THE

SELECT COMMITTEE

ON

YORK CITY ELECTION BRIBERY PETITION;

TOGETHER WITH THE

MINUTES OF EVIDENCE,

AND AN APPENDIX.

Ordered, by The House of Commons, *to be Printed,*
9 *September* 1835.

Martis, 14° *die Julii*, 1835.

Ordered, That a Select Committee be appointed, to whom shall be referred the Petitions of certain Electors of the City of York, concerning Bribery at the last and former Elections.

Jovis, 16° *die Julii*, 1835.

Committee appointed of,—

Mr. Pease.
Lord Francis Egerton.
Mr. Mark Philips.
Sir John Yarde Buller.
Mr. Elphinstone.
Mr. Nicholl.
Mr. Tancred.
Mr. Young (of Cavan.)
Mr. Hardy.

Ordered, That the Committee have power to send for Persons, Papers and Records.

Ordered, That Five be the Quorum of the Committee.

Ordered, That that the Committee have power to report the Absence of any Member on two consecutive days.

Veneris, 31° *die Julii*, 1835.

Order [16 July] for the nomination of Members to serve on the Committee read, and *discharged*, and the following Members were nominated:

Mr. Matthias Attwood.
Sir Philip Egerton.
Mr. Charles Villiers.
Mr. Wilbraham.
Mr. George Frederick Young.
Mr. Alsager.
Mr. Pusey.
Mr. Brotherton.
Mr. Grote.

Ordered, That the Committee have power to send for Persons, Papers and Records.

Ordered, That Five be the Quorum of the Committee.

Ordered, That the Committee have power to report the Absence of any Member on two consecutive days.

Lunæ, 3° *die Augusti*, 1835.

Ordered, That Sir Philip Egerton and Mr. Alsager be discharged from further attendance; and that Mr. Eaton and Mr. Forster be added to the Committee.

Mercurii, 12° *die Augusti*, 1835.

Ordered, That Mr. Wilbraham be discharged from further attendance; and that Mr. Stewart Marjoribanks be added to the Committee.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the Allegations contained in the Petitions of certain Electors of the City of York, presented to this House on the 30th day of June, and the 14th day of July last, and who were empowered to report the MINUTES OF THE EVIDENCE taken before them, together with their Observations, to The House;—HAVE examined the Matters to them referred, and have agreed to the following REPORT.

YOUR Committee proceeded to examine Witnesses on the subject of their inquiry, and they find it has long been the practice at York, that after the Election the Members should pay a certain gratuity to their respective supporters in the poorer class of freemen. The existence of this practice rests upon general notoriety, and was proved in particular by an individual voter, who stated that for the last 60 years he had himself received such a gratuity as often as the occasion arose. It appears that in the earlier part of that period, every Freemen received, on his application after the Election, the sum of half-a-guinea from each Member, if he had voted for both, or of one guinea from the Member for whom he had exclusively voted; but that about the year 1807 these sums were raised to one and two guineas; that the payment was thenceforward known by the name of "The Guineas," and that it was publicly made, though not until some time had elapsed from the close of the Election. It further appears, that it was customary before the Election, to set down in writing, on behalf of each Candidate, a considerable number of such poorer freemen as were disposed to be his supporters, and to retain them in the capacity of runners or messengers, at a payment of about five shillings a day, which was termed running-money, amounting sometimes to as much as 2*l.* 15*s.* per man, and was paid to the voter immediately after the Election, without prejudice to his subsequent claim for the guineas. This immediate payment was however discontinued in 1830, in consequence of the Act 7 & 8 Geo. 4, commonly called Lord Althorp's Act, which disqualified persons so employed for money, from voting at the Election; but it appears that those Candidates in behalf of whom voters were set down at the Election which occurred in that year, paid to such voters the sum of two sovereigns and one respectively. At the Election of 1831, it does not appear that any such payments were made.

Your Committee having endeavoured to trace the payments previously made to voters at Elections for York, proceed to report on those which having occurred in connexion with the contests of 1832 and 1835, are the chief subject matter of the petitions, to which their attention has been directed, to The House.

At the former Election (1832) there were four Candidates, and the state of the poll was as follows:

Mr. Petre - - - -	1,505
Mr. Bayntun - - - -	1,138
Mr. Lowther - - - -	884
Mr. Thomas Dundas - - -	871

One of the recent Members, who was regarded as having been unfairly led into a heavy expenditure at a former Election, and who was both personally and politically popular, was returned without setting down any voters on this occasion; neither did Mr. Thomas Dundas engage at this contest in any illegal expenditure. With regard to the other two Candidates, your Committee have it in evidence from an individual named James Leadley, that he had himself been occupied for 20 days before the Election, in setting down the names of persons who came to promise their votes for Mr. Lowther, at a house occupied by one of that gentleman's district committees. After the Election, a numerous meeting of the general committee decided that such of the voters as had given one vote to their Candidate, should receive one sovereign, while to those who had voted for him alone, three sovereigns should be paid; and although these sums were ostensibly paid to the two classes of voters, as having served four days and twelve days respectively in the capacity of messengers, body-guardsmen, bill-stickers, runners and constables, your Committee are of opinion that these designations were, with some exceptions, only colourable, and that the sum of about 1,000 *l.* so disbursed, was for the main part, really paid in consequence of the votes which the parties had given, and not of any effective services which they had *bonâ fide* performed. It must be further remarked, that the sum so expended by the committee was made good from the same source that the other expenses of the Election proceeded from. It was in like manner proved by Mr. Anderson, the principal agent of Mr. Petre, that recourse was had on his side to the practice of setting-down, that this practice was a well-understood promise of a payment to be made after the Election; but he asserted that it was only resorted to by the friends of his client, in consequence of its having been commenced by the opposite party. These two witnesses agreed that from the time the friends of Mr. Petre followed the example set by those who employed Leadley, voters began to transfer their names from the books of Mr. Lowther to those of Mr. Petre.

Your Committee cannot close their remarks on this contest without observing, that during its course a system of intimidation wholly inconsistent with freedom of election was pursued by the party opposed to Mr. Lowther, towards the friends of that gentleman, in illustration of which they will mention that one of his committee-rooms was forcibly entered by a tumultuous assemblage, countenanced, if not headed, by parties whose situation particularly bound them to refrain from being mixed up with such outrages; that fire-arms were seen among the crowd, and that the friends of Mr. Lowther, entertaining apprehension of serious danger that might ensue to him, finally urged him to leave the City. On another occasion, a supporter of that gentleman was subjected to so aggravated an assault that he has not yet recovered from its effects.

In 1833, a vacancy having occurred, one gentleman only, Mr. Thomas Dundas, offered himself to the electors, but on the day of Election two freemen of the poorer class suddenly put Mr. Lowther in nomination. The numbers on the poll were as follows:

Mr. Thomas Dundas - - -	1,337
Mr. Lowther - - - -	846

No illegal expenditure appears to have taken place on this occasion.

At the Election which occurred in January 1835, the two late Members having resigned their claims, three Candidates presented themselves, who were thus placed on the poll:

Mr. Lowther - - -	1499
Mr. John Dundas - -	1301
Mr. Barkley - - -	919

The

The Petitions referred to your Committee contain an allegation that liquors were freely distributed at this Election, and, as one of them adds, at the expense of Mr. Lowther; in proof of which allegation no evidence has been brought forward; nor has the allegation been sustained that unusual drunkenness prevailed on this occasion; but it was proved that several voters were conveyed to the polling booths in a state of intoxication.

In reference to an Allegation of the Petitioners, that Mr. Lowther's return was occasioned by money distributed among the poor freemen, it is necessary to remark, that the altered situation of that gentleman on the poll at this Election may be partly accounted for by the circumstance, that the Blue party, as they are locally designated, had been divided on the former occasions, but were now united in his support. The same individual, however, James Leadley, as appears by his own evidence, was again employed in setting-down the names of voters at the house in which the principal committee of the Blue party was held, which committee was constantly attended by the candidate's principal professional agents; and he stated, that although he had no accurate knowledge on the subject, he supposed that between 700 and 800 were so enrolled. It further appears, that about the middle of April last, Letters to the number of about 680, containing coin, were transmitted through the York Post-office, for the greater part of which receipts were taken on their delivery to the parties whose addresses they bore; that many of these letters, which were opened in the presence of the letter-carriers and others, were seen to contain two sovereigns, and that they were addressed exclusively to electors who voted for Mr. Lowther. It appears therefore, to your Committee, since no other payment is traced to have been paid, in consequence of the act of setting-down which occurred, and since that act was universally considered in York to imply a promise to pay, and since its employment by the same party had been followed by payment at the preceding election, that this transmission of money through the Post-office was the completion of the undertaking which had been virtually entered into by the committee of the Blue party with the electors, and that the money so sent was accepted by those electors in acquittance of that engagement, and without reference to services actually performed. A further payment was subsequently made by means of a parcel left at the coach-office, containing towards 40 packets, that appear each to have contained two sovereigns; and it is remarkable, that among those voters to whom these packets were addressed and by whom they were received, were persons some of whom are designated as farmers, others as cow-keepers. It is also established by the Evidence, that the same James Leadley, shortly before the day of polling, set down the names of a large number of voters with the understanding, that if they gave plumpers for the Blue candidate on the first day of polling, they would be paid for holding up their hands at the county election, and that they were so paid accordingly.

Further Evidence was adduced before your Committee, proving that many leading members of the opposite or Orange party, supporters of Mr. John Charles Dundas, were also implicated in illegal pecuniary transactions, to which, however, they appear to have had recourse reluctantly, and, as they state, in self-defence, and concerning which they have shown much readiness to facilitate the inquiries of your Committee. By a departure from the usual practice in setting-down, the voters who presented themselves on that side were informed that they were not to consider this registry of their name as a promise of payment, but only as an engage-

ment, that if services were required the person so set down should be employed; and it appears to your Committee an important fact, as indicating the effect of the system upon the result of Elections at York, that although not less than 372 persons consented to be set down on these terms, about 150 others refused to accede to them; and having presented themselves for the purpose of supporting Mr. John Dundas, did nevertheless, in consequence of such disappointment, subsequently transfer their names to the opposite party. Of the 372 voters so set down, 55 were employed in what were regarded as real services for the seven days during which the personal canvass of the candidate lasted, and were each paid at the rate of 5*s.* a day. The services of about 20 of them appear to have consisted in daily attendance upon the candidate who, it should seem, according to the practice of York, is generally accompanied, during his circuit, by a large body of his supporters, many of them paid for that purpose. Such a practice, however, even if legally conducted, appears likely rather to produce disturbance than any beneficial result. The whole of the 372 were considered to be subsequently employed at the election for four days, also at 5*s.* a day, in the following manner:—On the day of nomination it was their business to attend the candidate in a procession through the streets of the town, which is called "Riding the Challenge," or to hold up their hands in his favour when the sheriff took the sense of the electors on the names of the candidates. During the two days of polling they were regarded as being employed in bringing up voters to the booths, or in carrying messages; but it must have been difficult to furnish in this manner even ostensible employment for so large a number. The fourth day's wages of these electors were earned by their attendance at the declaration of the state of the poll, and at the hustings. Your Committee have adverted to these details of the employments in which the voters set down for Mr. Dundas were engaged, in order to show the nugatory and colourable nature of the services supposed to be performed at the Elections for York. The above payments are proved to have been made by the directions of Mr. Dundas's principal agent.

It is right to observe that Mr. Barkley and his supporters, from the commencement to the close of the election, protested against all illegal expenditure.

One of the Petitions referred to your Committee by order of The House, contains an allegation that Mr. Barkley would have presented a petition against the return, if he had not been deterred by the attendant expense, and it does appear that such a proceeding was contemplated by that gentleman, and was abandoned by him, partly on account of the expense, partly by reason of the uncertainty of the result. The same petition alleges that, but for the unlawful practices set forth therein, the candidate whose name stood first on the poll, would have been the last and lowest: your Committee have not the materials wherewith to test this allegation, but they think it right to observe that if the circumstances contained in the present Report had been established by legal evidence before an Election Committee, and so as to bring them within the provisions, as they undoubtedly are within the intention of the laws provided for such cases, more than 1,000 voters must have been struck off from the poll-book, on the ground of a pecuniary consideration held out and received, or even under the most favourable construction in pursuance of the Act 7 & 8 Geo. 4, which disqualifies parties employed for money in an election, from voting thereat.

Your Committee further find, that according to the best estimate which they

they have been able to obtain, the electors against whom charges have been established by name, may be classed in the following manner:

	Freemen.	Householders, of whom a few may be Freemen.	TOTAL.
Persons identified as having received money letters -	554	125	679 (*a*)
Persons who received money parcels - - - - -	27	6	33 (*b*)
Persons identified as having been set down for Mr. Dundas and paid, as stated above - - - - -	274	25	299 (*c*)
	855	156	1,011

Your Committee have no information which enables them to distinguish accurately the freemen and the householders in the general constituency of York.

They therefore finally report, that while on the one hand, the illegal disbursement of money customary at elections for York, originated in the payment after the election of a fixed small gratuity, which probably did not much, if at all, affect the state of the poll; and while they are disposed to draw a distinction even between the larger fixed payments that have since been made there, and the bargaining of votes for large amounts, by the competition of candidates before the election, which has obtained in other boroughs of the country, still on the other hand, they decidedly think that such a practice is not only inconsistent with purity of election, but is also now become highly subversive of the correct expression of public opinion, since they cannot but perceive that if two candidates with equal pretensions presented themselves at York, one of whom should countenance that practice, and the other refrain from it, an unfair advantage would be given to the party engaging in such unlawful proceedings, and that such advantage would decide the election.

Although they perceive a growing disposition among the respectable inhabitants of York to put down these practices, your Committee must declare their opinion, that the existing laws, as applied to the present constituency of York, are wholly inadequate to secure fairness or purity of election in that City; and they might have thought themselves called upon to recommend, that in the next Session, a Bill of partial disfranchisement should be introduced; but considering that the exposure which has attended this inquiry, and the fear of consequences likely to arise from the repetition of such practices, may have the effect of introducing among the freemen and other electors a stronger sense of public duty, and of thereby entitling them to a continuance of the trust which has been hitherto reposed in them by law, they will confine themselves to the report of the abuses which have been established before them in evidence, leaving the provision of remedies that may be required, to the consideration of Parliament.

9 *September* 1835.

(*a*) *See* List, No. 1. (*b*) *See* List, No. 2. (*c*) *See* List, No. 3.

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MINUTES OF EVIDENCE.

Mercurii, 5° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

THE Counsel and Agents were called in, and desired to proceed with their case.

Mr. *Hill* appeared for the Petitioners.

Mr. *Wrangham* appeared for two of the electors, and as counsel for other parties charged, in opposition to the petition.

The Chairman read the resolutions that the Committee had passed.

Mr. *Wrangham* objected to the proof of the service of the notices, as not being sufficient.

The Committee-room was cleared, and on strangers being admitted, the Chairman stated, that it was the opinion of the Committee, that the counsel of the petitioners proceed with their case.

Mr. *John Brook*, called in; and Examined by Mr. *Hill*.

Mr. *John Brook*.

5 August 1835.

1. WAS you under-sheriff for the city of York at the election in the year 1832?—Yes, I was.

2. Do you produce the poll-book of that election?—Yes.

3. Perhaps you can tell me what the numbers were on that poll?—I am sure I cannot tell.

4. Perhaps you have it down; you summed up the poll-books, I suppose; do you know what the numbers were?—

Mr. *Hill*.]—I have it here, and will put it in, if my friend admits it.

Mr. *Wrangham*.]—I will admit it.

PETRE.		BAYNTUN.		LOWTHER.		DUNDAS.	
Plumpers	61	Plumpers	173	Plumpers	600	Plumpers	58
Half votes with Bayntun	741	Half votes with Petre	741	Half votes with Petre	75	Half votes with Petre	628
Half votes with Dundas	628	Half votes with Dundas	100	Half votes with Bayntun	124	Half votes with Bayntun	100
Half votes with Lowther	75	Half votes with Lowther	124	Half votes with Dundas	85	Half votes with Lowther	85
	1,505		1,138		884		871

Majority for Mr. Petre above	Mr. Bayntun		367
— —	Mr. Lowther		621
— —	Mr. Dundas		634
Majority for Mr. Bayntun above	Mr. Lowther		254
— —	Mr. Dundas		267

Cross-examined by Mr. Wrangham.

Mr. *John Brook.*

5 August 1835.

5. We have had a number of votes among the four candidates in 1832; pray do you know upon what interest Mr. Bayntun stood? In York there are two parties, the Orange and the Blue, I believe?—Yes.

6. And which was Mr. Bayntun?—Mr. Bayntun stood on the Blue interest.

7. He first came in 1832, did he not?—I believe it was.

8. Now, sir, can you tell us, from your knowledge of election matters at York, whether the Blue party was not, from circumstances which we will not inquire into, divided between Mr. Bayntun and Mr. Lowther in 1832?—Yes.

9. So that I understand that in 1832, Mr. Lowther was not supported by the whole strength of the Blue party?—He was not.

10. I believe at the election in 1835 the case was altered, and he was supported by the whole strength of the Blue party?—He was.

11. Now, sir, casting your recollection back for a few years, have not the parties in York generally been so nearly evenly divided, that one party on each side has been returned?—That was the case.

12. The Blue party returned one and the Orange party the other?—Yes.

13. I believe the present Lord Dundas sat in the Orange interest for a number of years?—Yes.

14. Now, sir, in consequence of this division and split between the Blue party in 1832, did Mr. Lowther poll as many or fewer than you expected?—He polled more than I expected; he polled above Mr. Dundas.

15. Then Mr. Dundas was the brother of the present Member?—Yes.

16. Mr. Thomas Dundas?—Yes.

17. Mr. John Dundas is brother of the present sitting Member?—Yes.

18. Now as to these poll-books, have these poll-books remained in your custody from the time of the election of 1832 to this moment?—No, they have not been in my custody for the whole of that time.

19. Where then have they been since that time?—One of my clerks took them to the printer of the poll-book.

20. How long were they with the printer?—I cannot say exactly.

21. About how long?—A few days.

22. Are you aware of their being out of your custody at any other time than that?—I am not aware of their being out of my office.

23. Where are they kept in your office?—They are kept in a drawer in the office with other papers.

24. Had the clerks access to that drawer?—Yes.

25. By the *Committee.*]—Is that the original poll-book in 1832?—Yes.

26. There has been a printed copy handed in?—Yes.

Mr. *Hill.*]—We have put in a printed copy; I put it in for the abstract. However, the whole of it is in.

27. Mr. *Wrangham.*]—Has any other person access to that drawer besides your clerk?—Yes, my clerks.

28. You have more than one?—Yes.

29. They have all access to that drawer?—Yes, they might go the drawer. It is immediately under one of the drawers belonging to one of the clerks.

30. Is that a drawer that any of them visit?—Yes.

31. That is since the printed copy was taken?—Yes.

Re-examined by Mr. Hill.

32. Was the printed copy made soon after the election?—It was made shortly afterwards, in 1832.

33. Where were they kept before they were printed?—I cannot say positively.

34. In your office?—Yes.

35. Have you any reason to suppose that there has been any tampering, or any alteration of these books?—No reason at all.

36. My friend has been asking you about Blue and Yellow, and so forth; what are you?—I am in the Blue interest.

37. Did you give a plumper for Mr. Lowther last time?—Yes, I did.

38. And voted for him in 1832?—No, I did not then vote at all; I was under-sheriff.

39. How

Mr. *John Brook*

5 August 1835.

39. How did you vote before?—I never voted at all before; that is the first time that I had a vote.

40. About Mr. Bayntun, my friend asked you whether Mr. Bayntun came as a Blue; does that mean as a Tory or a Conservative?—In the Tory interest.

41. What we now call Conservative?—Yes.

42. Did Mr. Bayntun vote according to those principles before the election of 1832? Did he still continue a Blue?—He did not consider himself entirely on the same principles.

43. Did he not vote for the Reform Bill?—Yes, he did.

44. After he voted for the Reform Bill, and came back to the election of 1832, was he still supported by a large body of Tories?—He received the support of many Tories.

45. A large body of them?—Yes.

46. A considerable number of those 600, for instance?—A considerable body; I cannot say how many.

47. Now you have been asked about the election of 1832; have you taken any part yourself in election matters?—I have taken very little part.

48. Perhaps you do not know what sitting down means?—

Mr. *Wrangham* objected to this question.

Mr. *Hill* supported the question.

The parties were ordered to withdraw, and on their re-admission were informed by the Chairman that the Committee had determined the question ought not to be put.

49. Mr. *Wrangham.*]—You have been asked whether Mr. Bayntun came as a Tory or a Conservative, and whether he voted for the Reform Bill; and you say he did; was not that the cause of the splitting in the Blue interest?—It was.

50. By the *Committee.*]—These two parties at York, the Orange and the Blue, are they divided in political principles as well as in politics?—They are divided in political interests.

51. Are they Whigs and Tories, would you class them in that way?—The parties?

52. Yes.—I should class them under three descriptions.

53. What descriptions?—The Tory or Conservative, the Whig and the Radical parties.

54. And commonly they have returned one member of each politics belonging to the two political parties?—Yes, a Whig and a Conservative.

55. One on each side has been commonly returned at York?—It has been generally the case, there have been exceptions.

56. Was the Blue party split into different parties at that election of 1832?—It was partially split, certainly; a great number of them voted for Mr. Bayntun and others for Mr. Petre.

57. Were those parties you call Whigs and Radicals divided at the election of 1832?—I think they were not generally divided.

58. Were they divided at the election of 1835?—No, I think not.

59. You have been a long time resident in York?—Yes.

60. We hear charges of drunkenness and bribery in York; should you consider, from your experience, that charge to apply more to one of these three parties than another?—No, I should think not.

61. As far as you can judge, all alike?—Yes, I should conceive so, if there is any ground for the imputation.

62. Is there any ground at all for such an imputation?—I do not know how to answer that question.

63. Does drunkenness prevail at York during the election?—Occasionally there are scenes of drunkenness, undoubtedly, but I really think there is not excessive drunkenness at the elections at York; undoubtedly there are scenes of drunkenness.

[The Witness was ordered to withdraw.

Mr *G. H. Seymour.*

5 August 1835.

Mr. *George Hicks Seymour*, called in; and Examined by Mr. *Hill.*

64. I BELIEVE you are the present under-sheriff for the city of York?—I am.

65. Do you produce the poll-books of the election in January last?—Yes.

66. Can you tell me the state of the polling at its close?—

LOWTHER.		DUNDAS.		BARKLEY.	
Plumpers - -	1,230	Plumpers - -	144	Plumpers - -	0
Splits with Dundas	253	Splits with Lowther	253	Splits with Lowther	15
Ditto with Barkley	15	Ditto with Barkley	903	Ditto with Dundas	903
Howcroft's vote -	1	Howcroft's vote -	1	Howcroft's vote -	1
	1,499		1,301		919

67. Have you been acquainted with the city of York, Mr. Seymour, many years?—I have lived there all my life, except a few years that I was absent; I was absent a twelvemonth in London, and two years in Somerset, with that exception I have been all my life in York.

68. Pray was polling money given at the election at York as a matter of usage and course?—If I am required to state from my own knowledge, I perhaps cannot answer that.

69. I am not asking you whether you ever paid it, but as an old inhabitant of the town, have you any doubt on the subject that polling money was pretty generally paid for many years?—I have no doubt of it, to the best of my belief.

70. What was the amount paid? what was the sum?—

Mr. *Wrangham* objected to the question.

Mr. *Hill* supported the question.

71. By the *Committee.*]—Do you know of your own knowledge of any sum having been paid in York as polling money?—I do in some instances, from the admission of parties.

72. From the admission of parties?—Yes.

73. The parties who received it?—Yes.

The parties were ordered to withdraw; on their re-admission, the Chairman informed the Counsel that the Committee had determined the question should be put.

74. Mr. *Hill.*]—What was the sum? what was the amount?—I believe 2 *l.* for a plumper, and 1 *l.* for a split vote.

75. By the *Committee.*]—And do you state this from your own knowledge, or from hearsay?—Generally on hearsay, and on the admission of some of the parties who have told me what they have received; on some occasions, I believe, 3 *l.* has been paid for a plumper.

76. Mr. *Hill.*]—What occasions were those?—I understood that was the case after the election in 1832.

77. By what candidate?—As to the election in 1832, by Mr. Lowther.

78. By the *Committee.*]—Is that from your own knowledge?—No; I must say not.

79. Mr. *Hill.*]—Is that the reputation in the town, sir?—It was.

80. Do you know a gentleman of the name of Mr. George Hudson?—I do.

81. At the last election, did Mr. Hudson act as agent for any candidate?—I considered him as acting as agent for Mr. Lowther.

82. Where did you see him, sir?—I saw him at the committee-room, and he waited upon me on certain occasions with Mr. Lowther.

83. And in reference to the business of the election?—It was.

84. As to polling-booths?—The particular occasion I refer to was as to an objection which was taken to a decision I made as to admitting paupers to vote.

85. Do you know Mr. Hewley Graham?—I do.

86. Did he act at the last election as an agent?—He did.

87. For whom?—For Mr. Lowther.

88. Mr. James Richardson, do you know him?—I do.

89. Was he also an agent for Mr. Lowther?—I believe he was. I may state why I think so; they communicated with me as Mr. Lowther's agents, therefore I believe them to be so.

Mr. *G. H. Seymour.*

5 August 1835.

90. Did Mr. Richardson communicate to you as the agent of Mr. Lowther?—He did.

91. Orally, or by letter?—Both.

92. Have you any of his letters?—I have some.

93. Will you produce them?—I must ask the Chairman whether they ought to be produced; they are mere communications as to the general conduct of the election.

94. There can be no objection to putting them in, unless it is admitted they are agents. Will you put in some of them, avoiding any that relate to private matters?—They are generally communications with regard to the hustings. It was a matter of discussion whether there should be hustings, and whether there should be constables appointed, and as to the time when the poll should be declared. They are merely on these general matters; they were signed jointly, all of them.

95. By the *Committee.*]—Jointly by the three gentlemen, or the two?—By the two, Mr. Richardson and Mr. Graham.

[*The following Letters were then put in, and read.*]

Dear Sirs, George Inn, 7 Jan. 1835.

On behalf of Mr. Lowther, we earnestly request that the state of the poll may be declared not later than ten o'clock to-morrow morning, as otherwise the ceremony of chairing will be very late, which is very undesirable at this season of the year.

We are, &c.
(signed) *Hewley Graham,*
James Richardson, Jun.

And directed on the outside "To the Sheriffs of the City of York."

Mr. Lowther's Committee-room,
Dear Sir, 3 Jan. Half-past 11.

Have you made any arrangements as to the places the candidates are to occupy on the hustings, the admission of friends to the hustings, the order of precedence in the nomination, and the precise hour of opening the court?

Your reply will oblige, dear sir, your's, &c.

Hewley Graham,
James Richardson.

Admission of friends by tickets would be the best plan.

And directed to "Geo. Seymour, Esq. Under Sheriff."

96. Mr. *Hill.*]—I ask you, sir, whether drunkenness prevailed at the last election?—It did.

97. I am not asking you comparatively, because I do not know what the state of York was before; but positively, was there a great deal of drunkenness?—There were several drunken men I saw at the election.

98. But did drunkenness prevail?—I consider it did.

99. Did you find it necessary to make any regulation as to accepting votes of persons on that score?—It was a matter of conversation with one of the deputy sheriffs. I do not mean to say that I laid down a general rule.

100. What were your directions on that subject?—It was in consequence of having visited the different polling places in the course of the day, and at one place the deputy sheriff said there had been some drunken persons brought up to poll, and he thought that they were so drunk that they could not be allowed to take the bribery oath; and he asked my opinion what should be done in such cases: I said, I thought if a man could stand by himself and speak without prompting, that he should be permitted to vote; if he could do neither he should not.

101. That is a good York definition of sobriety at the election?—That was the conversation I had with the deputy sheriff.

102. Did you see any drunken persons coming out of any district committee-room?—I did.

103. Whose committee-room?—Mr. Lowther's.

104. Was it near to this polling place at which you gave the directions how to ascertain whether the man was in a state to vote?—It was.

105. Was the drunkenness of which you have spoken among Mr. Lowther's voters, or among other voters?—I can only speak to some individual instances

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which I happen to know were Mr. Lowther's voters; there were a great many more, whom I do not know whose voters they might be.

106. You did know that some were Mr. Lowther's voters?—I did.

107. Do you know that any other voters whom you saw in a state of intoxication, were voters for other candidates?—I can only state the fact, that the first time that my attention was called to drunkenness, was by the deputy sheriff sending for me from one of the polling places, stating that there was a great number of riotous disorderly people there who had overpowered the constables, and begged that I would send him some further assistance. When I went down there, I found a great number, but as I said, I could not tell who they were going to vote for.

108. When you went down there, could you tell to what party those persons belonged?—I could not speak positively.

109. Were they wearing no colours?—They might be, but I think not; I think colours were not generally worn.

110. You have stated as to your own knowledge to some of the persons being in a state of intoxication being Mr. Lowther's voters; can you tell us whether the persons you saw in a state of intoxication belonged to any other party?—I cannot particularize any; I saw a good many, and I dare say some of them might belong to the other party, for anything I know.

111. What I want to know is, whether you have any knowledge on the subject of any drunken votes belonging to any other candidate than Mr. Lowther?—I have not.

Cross-examined by Mr. Wrangham.

112. Have you any doubt that they belonged to both parties, that there were drunken men on both sides?—I have no reasonable doubt, at least to that party I saw in the first instance.

113. Have you any doubt about it?—I have not.

114. That the Oranges got as drunk as the Blues?—I do not know how to answer that question; the particular instances that I have stated were voters for Mr. Lowther.

115. You have seen a good many elections in York?—Yes.

116. And in other places too?—I think not, except in London; I have been once or twice at the Westminster election.

117. Was anybody sober there?—Certainly not.

118. You saw some of them coming out of a district committee-room?—I did.

119. Was that a public-house?—No, it was not.

120. What house was it?—It was a shop, an unoccupied shop.

121. About this custom of paying polling money at York; have you ever acted as an agent for either of the parties?—I have acted as an agent for Mr. Dundas on some occasions.

122. When?—First in 1818; I was then detached to London to send down the out-voters on that occasion.

123. We will take 1832. In 1832 were you employed as an agent for one of the candidates?—I was in Mr. Dundas's committee.

124. Mr. Dundas was the brother of the present Mr. Dundas?—Thomas Dundas, the present Member for Richmond.

125. Mr. John Dundas was then the Member for Richmond?—I believe he was.

126. In 1832, speaking from your own knowledge as an agent, do you know of any payment being made to voters on behalf of Mr. Dundas?—I do not, and I believe not.

127. No polling money was paid in 1832?—Not to my knowledge or belief.

128. That is to say, you believe there was not?—I believe there was not; I do not know it, but I believe there was not.

129. Does that belief extend also to the last election in 1835?—I was acting as under sheriff at that time.

130. Subsequent to the election?—I did not interfere in any way.

131. Will you tell me what the understanding in York is as to the payments made by Mr. Dundas?—I did not understand that polling money was paid this last time, in 1835.

132. You say you do not believe that polling money was paid?—Yes.

133. Have you heard such a thing as messengers' money?—I will answer as fairly

fairly as I can; if I am asked as to my belief, I have no means of knowing from my own knowledge, but I should believe there was some messengers' money.

134. Now give us some notion of what you mean by some, a very few, or a great many?—Not anything like the number in any former elections; but I have no means of knowing.

135. When do you suppose that payment was made?—I really do not know, I principally heard latterly. When this has been a subject of conversation, it has been said that Mr. Dundas's friends were also in the mire, if I may use the expression.

136. By the *Committee.*]—Is that the expression you use?—Yes.

137. Mr. *Wrangham.*]—Mr. Dundas is supported by the corporation of York, I believe?—I should not say by the corporation as a body; I should think latterly the corporation have not much influence as a body.

138. As individuals, which way do the aldermen vote?—The majority of them are Whigs; there are some Tories.

139. With reference to the last election, how many aldermen voted for the Oranges, and how many for the Blues?—I cannot tell you.

140. Cannot you tell me that not more than one alderman voted for the Blues?—I do not know, but judging from my own knowledge of their principles, I should say that the majority, perhaps eight or ten, would be likely to vote for the Whig candidate.

141. How many are there altogether?—Thirteen, being 12, and the lord mayor.

142. Have you any doubt at all that it is as notorious as the sun at noon-day, that it is a Whig corporation?—I should say that the corporation is composed of men of different principles.

143. As a vast majority of the corporation are Whigs, is not the corporation of York a Whig corporation?—It has generally been considered such.

144. I suppose the same party supported Mr. John Dundas at the last election, that supported his brother on the former occasions?—Not altogether the majority.

145. His brother polled 872 in 1832, and Mr. Dundas polled 1,299?—There were certain circumstances that will explain that.

146. Was not he supported at this election by the Dundas party at York, the same party that supported his brother in Parliament before?—Not by all of them; we thought, particularly some of the older members of the corporation, that he went farther than his brother, Mr. Thomas Dundas.

147. So he did upon the poll. What do you mean?—I mean upon points of political opinion, if I may use the term.

148. He was a stronger Reformer?—That is what I meant.

149. I see there is a passage in one of the petitions charging, "Your petitioners believe that to such an extent does the practice of bribery prevail in elections for the city of York, that the representation of the city may be said to be offered to the highest bidder; and, in confirmation of this opinion, they beg leave to state, that a gentleman much connected with the city, and highly esteemed, and who had several times represented it in Parliament, declined to become a candidate at the late election, on the ground that he had no hope of success without having recourse to those corrupt practices by which elections in York were generally secured; and which, after the passing of the Reform Bill, he had determined entirely to abandon." Now, who is the gentleman in that honourable way declining to stand?—Mr. Thomas Dundas.

150. Did any one come forward in the place of Mr. Thomas Dundas?—Mr. John Dundas.

151. His brother?—Yes.

152. Do you mean the Mr. John Dundas who was the greater Reformer of the two?—Yes; you ask me to whom that passage refers, and I say Mr. Thomas Dundas.

153. Do you mean, after Mr. Thomas Dundas had stated that no honest man could become a Member, his brother came into his place?—I did not state that.

154. The petition states that?—Certainly; if I am asked the question, I will answer it.

155. And you tell us that Mr. John Dundas was the greater Reformer of the two?—I believe so.

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156. What place did John represent in the last election?—To my knowledge, Richmond.

157. And what place has Mr. Thomas Dundas represented since the election?—Richmond.

158. So that Mr. Thomas Dundas went to Richmond in Mr. John Dundas's place?—Yes.

159. That being a close borough, under the Dundas family?—I cannot answer that.

160. Have you any doubt of it?—I know nothing of Richmond, anything more than that I have understood it to be a borough under the influence of the Dundas family.

161. Do not two gentlemen of the name of Dundas usually sit for it?—I believe they do, though not at present; for there is Mr. Spiers.

162. I believe he is a gentleman of the northern part of the island?—I do not know it.

163. Have you any doubt of its being a nomination borough?—I have; what is strictly called a nomination borough since the Reform Act; but I know nothing of Richmond, except from being in the township. I did not sign the petition, and therefore I did not make use of the words.

164. You say that some of the party who supported Mr. Thomas Dundas would not support his brother; can you account for the larger number Mr. John Dundas had than his brother?—I can. In the first place, Mr. Thomas Dundas's vote, as regards the freemen on the Reform Bill, was made use of to his disadvantage; a great many of the freemen did not vote for him in consequence of that; and Mr. Thomas Dundas just then declared that he would not be a party to paying the freemen as they had heretofore been accustomed, and that was another reason.

165. Did not Mr. John Dundas say that too?—Not to my knowledge; I speak as having been in Mr. Thomas Dundas's committee, and knowing what took place. Mr. John Dundas's committee I never went near, except on official business as under-sheriff, the same as I went to the other candidates.

166. Now in the election of 1832, was there a good deal of drunkenness at that time?—I think not, but I may perhaps explain that I was not in a situation then to see it; I was confined first in the committee-room, and afterwards as deputy sheriff at one of the polling booths.

167. You cannot speak as to your own knowledge, whether there was less drunkenness last time than at the preceding?—I cannot.

168. You have, I take for granted, always supported the Orange party?—I have.

169. You did not withdraw your support from Mr. John Dundas?—I was then acting as under-sheriff.

170. I suppose he had your good wishes as much as his brother?—Yes.

171. You have some polling books there, have those remained in your possession since the election?—They have, with a certain exception.

172. What is that?—They were a short time in the hands of the printer.

173. How long?—I cannot speak positively, to the best of my recollection three or four days.

174. More than that?—I think not more than that, to the best of my belief.

Re-examined by Mr. Hill.

175. Have you any reason to believe that they have been altered or tampered with?—I should say not, I could speak almost positively not.

176. You have been asked as to Mr. Thomas Dundas's election in 1832; I ask you whether it was not a matter of notoriety that the situation of Mr. Dundas at the poll of 1832, was chiefly owing to his having professed and acted strictly on the principles of purity of election?—Partly so, and partly as to his vote on the Reform Bill regarding freemen.

177. You have been asked with regard to messengers at the last election; you say you know nothing of it of your own knowledge?—I do.

178. But that you were told something; were you told by the friends or the enemies of Mr. Dundas?—First of all by the friends of Mr. Dundas, some of them were persons I know.

179. Were they *bonâ fide* messengers?—Yes

180. As to messengers who were not *bonâ fide* messengers, from whom was it you

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you had any information with regard to payment of them from Mr. Dundas's friends or his opponents?—From his opponents.

181. My friend has asked you as to matters of opinion; I ask you, in your opinion, having lived so many years in the city of York, does holding out expectations to the voters of obtaining pay, produce a very considerable effect on the election?—Certainly it does.

182. Mr. *Wrangham*, through the *Committee.*]—Were these *bonâ fide* messengers voters or not?—I really do not know, without I knew their names. Some of them were, and some were not.

183. By the *Committee.*]—Is it a matter of reputation in York, of polling money being paid at the election?—Yes.

184. Does that reputation lead you to suppose that it is paid by Oranges as well as by Blues?—Certainly, excepting the election of 1832; and at the last election, I believe, the polling money was not paid.

185. Have they commonly returned one man of each party?—Almost since my recollection one of the Orange party.

186. And one of the Blue?—And sometimes one of the Blue; and I think at one election there were two, at the time at which Lord Howden was the candidate.

187. Mr. *Hill*, through the *Committee.*]—Were Orange candidates returned?—Yes, I think at that time; I do not know the year without referring to the poll.

188. What effect do you think the polling money produced at the election, if there was a man returned on each side?—It has grown into a custom; the one is obliged to do as the other did.

189. Has it been paid when elections have not been contested?—I really cannot answer that question.

190. Mr. *Wrangham*, through the *Committee.*]—Do you remember any election in York without a contest?—There have been, but not often.

191. Mr. *Hill*, through the *Committee.*]—Was not 1831 without a contest?—I think it did not go on to a contest in the first instance, but I think Mr. Petre retired.

192. By the *Committee.*]—If no polling money had been paid on either side, the custom you have spoken of existing in York, I wish to know whether, if no polling money had been paid, the same candidates would have been returned?—It is difficult to form an opinion, because former payments or future expectations would have had weight.

193. Can you form an opinion or not?—If you will allow me to state my opinion, I consider that the Whig and Tory parties, that is, those who vote from a degree of principle, I think are pretty nearly balanced. The constituency is about 2,800.

194. Do you think that the political opinions of parties in York would return one on each side if they voted according to their political principles?—If you allow me to finish what I was going to say; out of the 2,800 there are perhaps 1,000, speaking in rough numbers, 1,000 Tories; and there are about 700 or 800 who will vote for anybody that they can get anything by.

195. According to your opinion, has this 700 or 800 been accustomed to get more from one party than the other?—I think on some occasions, three sovereigns have been paid by one party, and I think not more than two by the other, to the best of my knowledge and belief.

196. Do you think that decided the election? Have you any reason for thinking that?—If I was to declare my belief, I should say that it did the last election; it had considerable weight.

197. We are speaking of former elections, where money was paid on both sides; I think you said that at the last election money was paid only on one side?—To my knowledge.

198. Which party paid the three sovereigns?—According to reputation, I believe Mr. Lowther's.

199. Of what election are you speaking, of the three sovereigns?—Subsequently to 1832.

200. And he was the unsuccessful candidate?—He was.

201. Do you know whether the majority of this 700 or 800 consist of 10*l.* householders or freemen?—The great majority are nearly all freemen.

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202. Is it the custom of the Members of the city of York to make any annual distribution of charity?—It has been done; coals and blankets.

203. Are those given indiscriminately to electors and non-electors?—They are given in the way of charity; but I should think that political feeling had some little bias in the distribution of them.

204. They are not restricted to electors?—I should think they were in a great measure, when I am speaking of those which have been given by candidates.

205. By Members?—By Members; a certain quantity of coals is frequently given away in winter to the freemen.

206. Is it the custom in York, previous to the election, for expectations to be held out to electors, that they will receive this polling money?—There has been a system at some elections; I have heard of persons being set down.

207. Explain what you mean by setting down?—Applying at committee-rooms, at which their names are put down nominally as constables and messengers.

208. And was it understood that the polling money should, on a subsequent period, be paid to the parties whose names were on those lists?—The expectation was such.

209. Now do you know anything of such practices previously to the last election?—Oh, yes.

210. State to the Committee what you do know?—I know that was done in 1830.

211. At the last election, do you know anything?—I do not at the last election.

212. Is it usual for the candidates who have not succeeded to pay the polling money as well as those who have been elected; have you known other instances besides the one you have referred to?—I think I did, but I am not speaking positively.

213. Is it the general understanding, that although the candidates may be unsuccessful, the money will be paid to those whose names are down on his list, and who actually vote for him?—Yes, if he has any idea of coming again.

214. Mr. *Hill*, through the *Committee*.]—Was Mr. Lowther's polling money for the election of 1832 paid?—I have already stated, that from my own knowledge I do not know; it was generally understood it was.

215. I wish to know whether the payment of the Orange polling money for the election in 1832, had great influence in producing the effect in 1835, in your opinion?—I should conceive it had; I believe it had.

216. By the *Committee*.]—Then you consider that the polling money is a reward for past services, and a retaining fee of future?—I do.

217. Mr. *Hill*, through the *Committee*.]—Whether he recollects any former election, or has heard of any former election, at which as much as 3*l*. per man was paid as polling money?—I cannot speak positively; I have only an indistinct recollection that it was paid by Sir Mark Sykes.

218. How long ago?—A great many years ago.

219. Whether it has been reported at all in the city of York that Mr. Barkley had to pay the polling money, or has paid polling money? No, it was understood that he had disclaimed it from the first.

220. Was that the general belief, so far as you are acquainted?—As far as I have the means of judging.

221. Whether Mr. Barkley was not an entire stranger to the city of York?—I believe he was.

222. As far as you know, had any individual voter known him before he came to that city?—Indeed I cannot answer that.

223. Do you know of any one who ever had?—I do not.

224. Do you think that circumstance sufficient to account for his failure?—I think that would have that effect, certainly.

225. I see he polled 919 votes, had he any plumpers?—Some few, not many.

226. Whether, in the one case of Mr. Lowther, the great difference of his numbers in the last election, in the election of 1832, did not arise from Mr. Bayntun's death; whether a large party who, on Mr. Bayntun's death, supported Mr. Lowther, did at the last election unite with the rest of the party?—At the election of 1832 parties were so divided and so changed that I should scarcely know what to say.

227. Did not a great number of the Blue party who supported Mr. Bayntun, to the exclusion of Mr. Lowther in 1832, give their support to Mr. Lowther in 1835?—

1835?—To the best of my belief Mr. Bayntun was not supported principally by the Blue party in 1832. Mr. *G. H. Seymour.*

228. Were there not many voters of the Blue party who supported Mr. Bayntun in 1832?—Not many. 5 August 1835.

229. Do you know how many?—No.

230. Do you know whether any of the voters who supported Mr. Bayntun in 1832, supported Mr. Lowther in 1835?—I considered not; they considered Mr. Bayntun turned reformer, and therefore voted against him.

231. Whether Mr. Barkley did not desire the voters publicly not to come to him, and that he was there entirely on the principles of the purity of election, and would give nothing?— He did state the latter part of it, and I believe the former.

232. The witness took no part at the last election in favour of either of the three candidates?—I did not; I was acting as under-sheriff.

[The Witness was ordered to withdraw.

Mr. *George Hudson* was then called in; and Examined by Mr. *Hill.*

233. ARE you a draper at York?—Yes, I am. Mr. *George Hudson.*

234. Were you a member of Mr. Lowther's committee in the election of 1832?—I was.

235. And at 1835?—I was.

236. Did you act as his agent?—No.

237. Not in 1832, nor in 1835?—Neither.

238. Perhaps you can tell me the names of his agents; had he any other agents than Mr. Hudson, Mr. Graham and Mr. Richardson; were not you one of his agents?—No.

239. The *Committee.*]—Were you a paid agent?—No.

240. Mr. *Hill.*]—Did you act for him?—I canvassed for him, if you mean that.

241. Did you pay any monies for him?—Yes.

242. Why, you were the treasurer, were you not?—I was treasurer, but I never received any money from Mr. Lowther in 1832.

243. But you paid monies for him?—Yes.

244. Did you receive any money from him in 1832?—No.

245. Did you receive any in 1833?—No.

246. In 1834?—No, sir.

247. In 1835?—No, sir.

248. What, were you treasurer without a treasury?—Well, perhaps that admits of some explanation. The fact is, that I believe in 1832, I was what they call treasurer, but I received no monies; but I was told by the chairman that cheques on the city and county bank would be answered, if I drew them on account of the expenses of the election; that is the explanation.

249. Who was the chairman who told you that?—Mr. Price.

250. And did you draw cheques?—I did.

251. For what amount?—I could not exactly say, because a person acted under me; I was principally employed out in the canvass.

252. Who was that?—A gentleman of the name of William Lunn.

253. The *Committee.*]—Was this at the last election?—At the election of 1832.

254. Mr. *Hill.*]—Now, although you cannot exactly tell us the amount?—I can tell you the sum that was drawn out of the bank on account of that election by Mr. Lunn and myself.

255. Exactly; how much was it?—I believe it would be altogether 3,240 *l.*

256. Was that drawn before the election, or before and during the election?—It extends its drawing from, I believe, November 1832, very probably up to the middle of 1834.

257. That was after the time at which the polling money was paid, was it not?—Why, I do not know what you mean by polling money. (*Addressing the Chairman.*) Mr. Chairman, he wants to get an admission of the fact from me by a sort of underhand question. I do not like to be entrapped into an answer by a question of that sort; let him put his question in a straightforward way.

258. I ask you, first of all, do you know whether any polling money was paid on behalf of Mr. Lowther?—That question I respectfully decline to answer.

Mr. *Hill.*]—I stand upon that question.

259. The *Chairman.*]—On what grounds do you decline to answer?—Because

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I apprehend, if I was to admit that question, another question would follow; "Did you pay?" and then I might by that means criminate myself, and render myself liable to penalties.

260. The *Committee.*]—You understand the meaning of the term polling money?—Perhaps I had better call for an explanation of what polling money means.

Mr. *Hill.*]—I submit that is no reason for the witness refusing to answer the question, that he expects another question will be put on it.

The Committee-room was then ordered to be cleared, and on the re-admission of the parties,

261. The *Chairman.*]—I am directed by the Committee to state, that they have come to the following resolution, "That it is the opinion of this Committee that the reply to the question, 'Do you know whether any polling money was paid on behalf of Mr. Lowther?' cannot criminate the witness, and he is informed he must answer." You have heard the resolution to which the Committee has come, and I now ask you the question, do you know whether any polling money was paid on behalf of Mr. Lowther?—I do not, of my own knowledge.

262. Mr. *Hill.*]—Do you believe, sir, that polling money was paid on behalf of Mr. Lowther?—We have no such term, and I never heard any money called by that name; running money has been paid.

263. Do you believe that polling money has been paid on behalf of Mr. Lowther, in respect of the last election?—The election of 1832 are you asking about?

264. Yes, the election of 1832.—I advanced, by the order of the committee, a sum of 1,050 *l.*, as far as I recollect, to a gentleman, to pay messengers and runners, body-guardsmen, bill-stickers, and different men employed about the committee-room, and for the protection of Mr. Lowther and his friends, and some other small bills were included; but I repeat merely from recollection.

265. Do you believe that polling money has been paid on behalf of Mr. Lowther, in respect of the election of 1832?—I should like to have some explanation of what the learned counsel means by polling money; what does the term mean?

266. Do you mean to tell the Committee that you do not understand the meaning of the term polling money?—I mean to say that I do not understand the meaning of polling money; that is, that we have no such term used in York, to my knowledge.

267. The *Committee.*]—Was the 1,050 *l.*, which you state to have been placed in the hands of a gentleman for the purpose of making certain payments, given to parties for services actually performed in the election, or was it, or any portion of it, given as a consideration for votes given during the election?—Certainly to a very great extent, services performed; but I do not know to whom it was paid.

268. Have the goodness to answer the last part of the question, whether any part of it was paid as a consideration for votes given at the election?—I do not know.

269. Mr. *Hill.*]—Do I understand you to tell me that you do not know the meaning of the phrase polling money?—I do.

270. Did you ever hear of paying "the guineas," at York?—I believe I never was in a committee-room till 1832. I know nothing of the system pursued in York respecting elections. I never was in a committee-room, except it might be in 1831; I believe I was half an hour in Lord Morpeth's committee-room; that was the first time I ever was in a committee-room.

271. My question is, do you know the meaning of the term "paying the guineas"?—Yes, I do.

272. To your knowledge or belief, were the guineas paid on behalf of Mr. Lowther, in respect of the election of 1832?—The only monies that were paid were the monies I have explained now, the 1,000 *l.*

273. I have asked you, sir, to your knowledge and belief, do you believe that the guineas were paid?—I believe not.

274. Do you know of any money at all being paid to voters after the election of 1832, on behalf of Mr. Lowther?—I have already said the 1,050 *l.*, but I never was near it, nor did I see it paid, neither did I know; I have no evidence it was paid at all; I gave a cheque for 1,050 *l.*

275. To whom did you give that cheque for 1,050 *l.*?—To Mr. Harwood.

276. Upon what bank did you give that cheque?—The City and County Banking Company.

277. From what account did you direct that cheque to be paid?—I gave a cheque

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in my own name; I never was in the bank from November, I should say to the best of my recollection, I never was in the bank ever, nor do I know to what account it was applied till three months after I paid that money.

278. Now to what account was it applied?—It was applied to an account standing in the name of Mr. Lowther at the City and County Bank.

279. At what time did you give this cheque, how long after the election of 1832?—I cannot call to mind; it was some time in January; I cannot charge my memory exactly; it might turn out to be February.

280. The *Committee.*]—The witness means January or February 1833?—Yes.

281. Mr. *Hill.*]—Did Mr. Harwood give you no account of how he had applied this money?—None.

282. Did you never ask him for any account?—None.

283. Have you, as treasurer, made up your accounts for 1832, for that election?—Yes.

284. To whom have you accounted?—To Sir John Lowther.

285. Is he the father of the candidate?—He is.

286. When did you account to him?—I should think March, some time in March; but really being three or four years ago it is difficult to charge one's memory, I think about March.

287. March 1833?—Yes.

288. Have you never heard that 3 *l.* per man was paid to the plumper voters of Mr. Lowther at the election of 1832?—Certainly.

289. You have heard it?—Yes.

290. Do you believe it?—I do.

291. Have you ever heard that 1 *l.* was paid to his split votes?—I have.

292. Do you believe it?—I do.

293. Have you ever heard by whom those payments were made?—Yes.

294. By whom?—By Mr. Harwood, and some other party; they certainly had to do with it, or something to that effect.

295. The number of plumpers at the election of 1832 being 600, do you believe that those plumpers were paid at 3 *l.* per man, out of that sum you have mentioned as having been received by Mr. Harwood from the bank under your cheque?—Do you ask me whether the 600 were paid, or part of the 600?

296. I understood you to say that the plumpers were paid, according to your belief, at 3 *l.* a man?—I mean a part of them; I do not mean to say that the 600 were; I mean that a part were.

297. Do you mean to say that a part were paid, and a part were not paid?—Yes.

298. What are your means of knowledge of that?—It seems to me to be very ready, because 1,000 *l.* could not pay 600 plumpers 3 *l.* a man.

299. Do you believe that the plumpers were paid 3 *l.* a man out of the 1,050 *l.*?—Yes, sir.

300. Did you give Mr. Harwood that 1,050 *l.* for that purpose, or any other purpose?—I was excessively ignorant of the matter.

301. That is no answer to my question?—I will give you as straightforward an answer as I possibly can.

Mr. *Wrangham* suggested that the witness should withdraw, and then requested the Chairman to caution him not to criminate himself. On the witness's return,

The *Chairman,* (to the *Witness.*)—If you conceive that any question is likely to criminate yourself, you may appeal to the Committee, who will consider whether they shall enforce the question or not.

302. Mr. *Hill.*]—Did you give Mr. Harwood that 1,050 *l.* for that purpose, or any other purpose?—I made no stipulation when I gave the money to Mr. Harwood; but I understood it was to pay runners and messengers, and for purposes of that kind; men who had been employed in various departments for the protection, as I have stated before, of Mr. Lowther and his Committee, and in different capacities; and also the 1,000 *l.* was for other purposes.

303. Another 1,000 *l.*?—No, that 1,000 *l.* was for these purposes, and for the payment of some small bills.

304. Was any of the purposes for which you gave the 1,050 *l.* to pay plumper votes 3 *l.* a man, and split votes 1 *l.* a man?—I made no stipulation of the kind.

305. What was your understanding with Mr. Harwood?—My understanding

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was, that it was to pay runners, and men employed about the Committee; and whether the men were paid that had not voted, I do not know, out of that money.

306. Was your understanding that any part of it was to be applied to pay voters the 3 *l.* or the 1 *l.*?—No.

307. That was not the understanding?—No.

308. When did you learn that the money had been so applied?—I heard it merely from the rumour in the town.

309. Have you never heard it from Mr. Harwood?—I am not aware that I have.

310. When you found Mr. Harwood had been misapplying the 1,050 *l.*, did you not ask him to explain how that was?—I did not say that I heard he had misapplied it; I understood that the object of that 1,000 *l.* was to pay the messengers, and such purposes as that. It was true that they voted for Mr. Lowther, but it was for their services to the committee, and not for their votes, that I am aware of.

311. Was Mr. Harwood right in applying any part of that money to the payment of the 3 *l.* to plumper votes, and the 1 *l.* to split votes; was he right in doing so?—

Mr. *Wrangham* objected to the question.

Mr. *Hill* supported the question.

The *Chairman* decided that Mr. Hill should alter the form of the question.

312. Mr. *Hill.*]—According to the understanding which existed between you and Mr. Harwood, did Mr. Harwood do his duty in applying any part of that 1,050 *l.* to the payment of the 3 *l.* and the 1 *l.*?—If he applied the money to the payment of men who had not been employed, he did not do his duty.

313. The *Committee.*]—Mr. Hudson, I believe you have stated that at the time you paid the cheque for 1,050 *l.*, you believed the money was to be appropriated for services performed by messengers, runners, and such parties?—Certainly.

314. You have stated also, that you believe that such of the 600 plumpers as were paid for, were paid out of that 1,050 *l.*; when, and in what way did that belief arise in your mind?—I stated my belief, that a part was paid.

315. The question that was asked, was, whether it was paid to the plumpers?—If they were employed.

316. I have taken down your words, that each of the 600 plumpers that were paid 3 *l.*, were paid out of the 1,050 *l.*?—Yes; Mr. Hill asked me if I believed the plumpers were paid out of the money; I said yes, because they were the runners and messengers. If the question had been put, whether it had been paid for a vote, I should say, certainly not.

317. Mr. *Hill.*]—Do I understand you to believe that this 1,050 *l.* was paid to persons who had performed services as messengers and runners?—Yes, I believe it was.

318. Now, sir, were persons paid 3 *l.* as plumpers, and those others 1 *l.* for split votes; was that so; I understood you to have said so?—That is the rumour; that is my belief, nothing of my own knowledge; I never paid 1 *s.*

319. Do you believe that the messenger who voted a plumper was paid 3 *l.*, and another messenger, who voted a split vote, was paid 1 *l.*, is that your belief?—Yes.

320. But still you believe they were paid for running as messengers, and not for voting for the candidates?—That was my understanding.

321. And that is still your belief?—Yes.

322. The *Committee.*]—Why should the services of the messenger who had voted a plumper be worth 3 *l.*, when the services of another, who had performed the same duty, were only worth 1 *l.*?—It was the custom, I suppose; I am not aware at all; that was the first time that I knew anything about an election; I knew nothing about the York elections the preceding times.

323. Mr. *Hill.*]—Is that your final explanation to the question put to you by the honourable Member?—I have no knowledge that there was paid these sovereigns, or even the 3 *l.*; I never paid them.

324. If two men have performed equal services as messengers, the one giving a plumper, and the other a split vote; if the plumper received 3 *l.*, and the split vote 1 *l.*, should you consider the difference of 2 *l.* was given for the services performed, or the vote given?—It is a difficult question to answer; I should certainly say it was an encouragement to give a double vote next time.

325. The

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325. The *Committee.*]—Would it be considered that the messenger who gave his vote for both parties, would also act as messenger for both parties?—I am sure I am not aware of it.

326. Mr. *Hill.*]—Did the majority of them act as messengers for any party?—I believe so.

327. The majority?—Yes, I believe honestly.

328. Pray did Mr. Harwood return you no account of what he had done?—No.

329. Did you ever apply to him for any account?—No, sir.

330. Did you return the 1,050 *l.* in your account?—Yes.

331. What did you put it down; how did you enter it?—I believe for messengers, bill-stickers, constables for nomination day, something running in that style; I cannot exactly call to mind.

332. I understood you to say, that according to your belief many of those 600 plumpers were not paid at all?—No, I have no doubt of it; I can only say from my belief.

333. Has there been no application for payment?—No.

334. Pray sir, was there any meeting of Mr. Lowther's committee for the purpose of considering the payments to be made?—There was.

335. When was that held?—Before the cheque for 1,050 *l.* was given.

336. Were you present at that?—I was.

337. Tell us who else was present, who was in the chair?—I should think there were 200 there.

338. Who was in the chair?—Mr. Price, I believe.

339. Was Mr. Graham there?—I do not recollect, the impression on my mind is that he was.

340. Mr. Richardson?—I do not think he was there; the impression on my mind is, that Mr. Graham was there.

341. Mr. Harwood, was he there?—Yes.

342. Mr. Charles Wollams?—I think not.

343. Mr. Richard Bell?—I did not see him there.

344. Mr. James Leadley?—No.

345. Mr. Short?—I should say not.

346. Mr. Rutland?—I should think not, to the best of my knowledge.

347. Now sir, who made any proposal about paying voters at this meeting?—Mr. North.

348. What did he propose?—He proposed that they should be paid for 12 days; I have stated that a great many of them had been employed for that time.

349. Whom do you mean by *they?*—That the runners should be paid for 12 days.

350. Did he give any reason why they should be paid the 12 days, beyond their having been employed a good deal?—No, I believe not.

351. Did he not say that it would have a good effect on the next election?—I cannot charge my memory.

352. You do not recollect it?—I do not recollect it, on my word and honour; it is a very probable thing to be named.

353. So the runners and messengers were to be paid 12 days?—Yes.

354. Was that the resolution passed?—I think it was the resolution.

355. Who seconded it?—I am sure I cannot say.

356. Who was your secretary?—We had no secretary that day, I do not think it was put into writing at all.

357. Do you recollect who seconded it, who supported it in anyway?—A Mr. Rymer.

358. And was that the resolution carried at the meeting?—It was.

359. That all runners and messengers should be paid 12 days?—Twelve days; and split votes, any that had not given a plumper, were to have a sovereign.

360. That messengers and runners who had been plumpers should be paid 3 *l.*, and messengers and runners who had given split votes should be paid 1 *l.*?—Yes, at the rate of five shillings a day for 12 days.

361. Do you remember anybody saying that those who had given plumpers had been engaged twelve days, while those who had given split votes had only been engaged four days; did anybody say any such thing?—No sir, I do not recollect that; it was done I have no doubt with an intention to encourage them, as I said before, to encourage them on a future time to give a plumper.

362. But you told us that something was said about their having been engaged

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12 days, what does that mean; if they were not to be paid for the amount of their running, but for the amount of their voting, what had the time at which they were engaged to do with it?—It was the principle laid down.

363. Now explain yourself; I am sure from your station in life you would answer as if you were upon your oath; do you mean to tell me that any person there put it gravely to the meeting that the people were to be paid 3 *l.* because they had been engaged in running 12 days?—If I was upon my oath, I could say Mr. North used that expression, that was the expression used.

364. Did anybody say the poor split votes have been engaged just as long as the plumpers, did nobody say that?—It was not usual to employ a man for that length of time unless he would give a plumper.

365. When he was put down to be a messenger, was it asked whether he would be a plumper or not?—I have no doubt it was, but I never asked the question myself, I never put any down.

366. The *Committee.*]—Is the Committee to understand that the persons to whom these payments were made, did actually give the twelve and four days' time to the purposes of the committee, for which these sums were paid?—So I understood it. I am quite certain that it is capable of proof that they did give that time.

367. Mr. *Hill.*]—How many paid messengers were there, you being treasurer?—That was all that I paid in that way, to the best of my recollection.

368. Do I understand you that the whole 1,000 guineas went to pay messengers?—Yes.

369. Then do you mean to tell this Committee that there were as many voters as would require 1,000 guineas to pay them, who were actually *bonâ fide* messengers employed to carry messages at this election?—I have no doubt there was more than was wanted.

370. That is anything but an answer to my question; pray attend to my question, it is this; do you mean to tell the Committee that there were as many messengers really and *bonâ fide* employed at this election, as required 1,000 guineas to pay them?—I should say not, certainly.

371. I understood you to tell me originally, that that money was to pay messengers, body-guardsmen, bill-stickers, runners, and some small bills?—Yes.

372. Is there any difference, first of all, between runners and messengers; do you mean the same in your language?—Yes.

373. Then it comes to what I say, that the money was to pay messengers, body-guardsmen, bill-stickers, and some small bills?—Yes.

374. You have just told me that the whole money was paid to messengers, do you mean to say so or not?—No; I have already given an explanation; I meant to include the purposes which I had named previously.

375. Now tell us, what are body-guardsmen?—I do not know almost the use of the term; it was understood that each of the committee should have a person for his protection; from the excitement which prevailed in 1832 it was very acceptable indeed.

376. How many persons of the committee were there?—Two hundred.

377. And was a body-guardsman assigned to each of those 200?—For the four days it was understood that any gentleman could employ any freeman as a body-guardsman for his protection; there were two assigned to Mr. Lowther for his protection.

378. What were they paid?—They were to be paid all alike, freemen, that there should be no difference made.

379. What was the sum?—Three pounds.

380. Was a body-guardsman to be paid 3 *l.*?—Yes.

381. However he voted?—I do not know, it was left to the gentlemen of the committee who employed them.

382. Do you mean the Committee should understand that this body-guardsman was to be paid 3 *l.* unless he voted a plumper?—No, not in some instances; I myself had a man whom I paid, who was not a freeman; I did not charge it to Mr. Lowther.

383. Then he did not come into the class?—No.

384. Then his is not a case in point?—No.

385. What I want to know is, whether any freeman that was paid as a body-guardsman out of this 1,000 guineas, had given any other than a plumper vote for

Mr.

Mr. Lowther?—It is my belief not; I did not pay, therefore I am no evidence at all.

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386. Your belief is that they were plumpers?—Yes.

387. How much was paid to bill-stickers out of this 1,000 guineas?—I do not know.

388. About?—I understood they were all paid alike.

389. Was it 20 *s.* or 20 *l.*? Were they paid 3 *l.*?—Yes.

390. How many do you think there were?—I do not know at all.

391. Cannot you form a notion?—I cannot indeed; I should say they were not exceeding 20.

392. Were those bill-stickers plumper votes?—I have no doubt of it, but I never examined into it, it is merely my opinion.

393. Now as to the small bills, can you give the Committee an idea of what they amounted to out of this 1,000 guineas?—I think not more than 30.

394. I think you said 1,050 *l.*?—Yes.

395. Then that would leave 1,000 *l.* clear to be divided among messengers, body-guardsmen, and bill-stickers?—Yes.

Jovis, 6° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *Robert Henry Anderson,* called in; and further Examined.

396. WHAT profession are you?—A solicitor.

Mr. *R. H. Anderson.*

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397. Did you receive instructions from Mr. Parkes to serve notices on any voters at York?—I did.

398. Have you served them?—The number was so great, I was obliged to employ several persons to do it; I had the list indorsed of the parties' names who were to be served. They exceeded 600, and consisted of persons of the lowest rank; it was impossible for me to do it without taking considerable assistance; I was obliged to employ a number of persons to do it.

399. Did those names contain the names exclusively of the parties on whom notices were served?—They did.

400. There is no name of any party who has not received the notice?—No; if there be any such name, he is either crossed out, or there is a remark made opposite that he has not been served, and the reason why he has not been served; for example, that he may be dead. The list is that of the post-office.

401. Have you the form of the notice?—Yes.

402. Hand it in.—[*The form handed in*].

403. If the Committee require more definite proof of the notice to any one individual, are you prepared to show that?—I am; there is a mark made, and each person who has served has signed his name to indicate that he has served him; I thought it would be useless to bring about 10 persons here.

404. But if you should be required to give that which would constitute legal proof of the service of the notice in the case of any individual, it could be done?—There is no question about it.

405. When did you get the instructions to give the notice?—Not till late on Thursday evening; by the resolution, I was required to have them served on the next day, Friday; the number was so great that it was almost an impossibility to get them finished; as far as I think, there are 20 of them, we could not effect the service of them till Saturday; you will find those marked particularly in the lists that I have produced.

406. A copy of that resolution of the Great Yarmouth Committee was sent to you?—It was.

407. In a letter from Mr. Parkes, your correspondent, directing you to serve those notices, or cause them to be served?—Just so.

408 You have that letter?—I do not know that I have it by me; I have it with me in town.

409. You have it in town?—Yes, I have.

[The Witness withdrew.

Mr. *Robert Brook*, called in; and further Examined.

Mr. *Robert Brook.*

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410. DO you know if it has been a prevalent custom in York that any sum should be paid to voters after the election?—There has been a custom to make a payment after the election.

411. Was it a matter of general opinion that that practice was adhered to in 1831?—I believe it was; I think it might be.

412. And in 1830?—I cannot speak as to that.

413. But you state it has been a general belief in York that it has been the ordinary custom for some years at elections?—I certainly think so.

414. A fixed amount or an uncertain amount?—Not a positive fixed amount; I think the sum varied.

415. Within what limits?—I think at the time Mr. Sykes was returned the payment was greater.

416. To what amount?—I am not quite certain; I think it was two guineas instead of one, or 2 *l.* instead of 1 *l.*

417. Your impression is that it has generally been one guinea?—I think it was originally; but I cannot say for a positive certainty.

418. Did you ever know, as a matter of common opinion, what was the origin of the payment of the one guinea?—No, I cannot say particularly, any further than I suppose the persons who receive the money had had some particular employment during the election.

419. Did you ever hear that it was in lieu of a supper?—No, I cannot say I ever heard that.

420. Has it been the custom to make this payment when the elections have not been contested?—I cannot speak positively as to that point.

421. Do you know of any case where the election has not been contested?—Yes, I think so, a few years ago; I cannot speak to the time; I think when Sir Mark Sykes and Mr. Dundas came in together without contest.

422. How long did you say you had resided at York?—All my life.

423. You say you believe the payment was made in the election of 1831?—I am sure I cannot say; I have hardly any belief upon it; I take no part in particular in the business.

[The Witness withdrew.

Mr. *George Hudson*, called in; and further Examined by Mr. *Hill.*

Mr. *George Hudson.*

424. DO you know where the payments of the 1,000 *l.* to the messengers, body-guardsmen and bill-stickers were made?—No, I do not know of my own knowledge; nothing but by report.

425. What does report state upon that subject?—I do not know whether I am bound to give report; I have no motive to conceal it.

426. Do you believe the report to be true?—Yes; it took place at the George Inn, I believe. If you mean to ask me if I believe the payment of the whole 1,000 *l.* took place, I do not believe that.

427. Did the major part of it?—The greater part of it.

428. Were you present any part of the time?—Certainly not.

429. Can you tell the Committee where the payments were made that were not made at the George Inn?—I cannot.

430. According to your information and belief?—I have no knowledge where they were paid.

431. Have you no belief?—The fact is, it includes, as it seems to me ——

Mr. *Wrangham* objected that when the witness had stated that he had no knowledge on the subject, he ought not to be asked as to his belief, but ought to be asked as to general rumour or report, but not belief.

Mr. *Hill* was addressing the Committee in answer to the objection, when the committee-room was cleared. After some time Counsel and parties were ordered to be called in, and informed that the Committee had decided that the question should be put.

432. By Mr. *Hill.*]—Have you no belief?—None; none at all.

433. You never heard where they were made?—Not to my knowledge; not that I recollect of; I might have heard and forgot; I wish to guard myself against speaking that which is not correct.

434. Pray, previously to the election of 1832, was there anything of what is called setting down?—I have no knowledge of it.

434. Nor

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435. Nor any belief?—I believe there was.

436. Will you explain to the Committee what the setting down is?—I understood always that a person was kept at the committee-room to register the voters, those who came and put their names down, intending to vote for the candidates.

437. Is there a distinction made in the setting down between those who are set down for plumpers and those who are set down for a split vote?—I do not know.

438. Have you ever seen the setting down book?—No.

439. Have you never been present when the setting down went on?—Never.

440. Who was the person who in 1832 had the management of the setting down?—I do not know.

441. What is your belief on that subject?—I do not know; I might go, by giving my belief, and criminate another person, and charge him wrongly.

The Witness is told he is bound to answer the question.

Witness.]—I think in 1832, to the best of my belief, a Mr. Richard Bell had the management of it.

442. By the *Committee.*]—That is the best of your belief?—Yes, it is; but I had nothing to do with it at all.

443. By Mr. *Hill.*]—To your belief, had any other person the management of it in connexion with Mr. Bell?—No, I have no knowledge that they had; that is, there was a person employed to write.

444. Who was he?—I cannot say; I do not know the name of the person; but my impression is it was a person of the name of Leedley.

445. When a person is set down as a plumper, is it the usual course to put him down for so many days?—I do not know.

446. Nor ever heard?—Yes, I dare say I have heard; I have no doubt of it; but I could not charge my memory.

447. Can you tell me where the books are belonging to the election of 1832?—No, certainly not.

448. Your own treasurer's books, have you the possession of those?—No, I have not.

449. Do you know who has?—No, I do not.

450. You do not?—No.

451. To whom did you give them?—I sent the statement to Sir John Lowther; he afterwards returned them to me, and I destroyed them.

452. When did you destroy them?—Two years ago; no, about a year and a half ago.

453. By the *Committee.*]—Were they destroyed in the presence of any other person?—No, they were not. The statement I had was merely a foolscap sheet of paper.

454. By Mr. *Hill.*]—It was only a foolscap sheet of paper that was destroyed?—Yes.

455. And the cheques were not destroyed?—No; I have seen them in the possession of the gentleman here, the banker.

456. What is his name?—Barnes.

457. Now, go to the election of 1835; who, to the best of your knowledge and belief, had the management of the setting down in 1835, in the January election?—Do you mean who wrote the names?

458. I do not care if it is the hand who wrote; but who had the management of the business and the setting down; was it Mr. Bell again?—I have no knowledge, and I have no belief that he had.

459. Who, to your belief, had the management of it?—I have no belief in the matter. I know who I saw writing the names down.

460. Who was that?—A person of the name of Ferrand; I would not know the man again if I were to see him.

461. What trade is he?—I do not know.

462. Is he a York man?—No.

463. You never saw him before?—No, I never saw him before, but once in the room, the whole time.

464. Did you see him writing at that time?—Yes; he sat with a book before him.

465. How did you know his name?—Because such a person's name was given as a messenger.

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466. Was he a freeman, to the best of your belief?—I have no knowledge of it.

467. What is your belief?—I really have no knowledge.

468. Have you any doubt he was a freeman?—I wish to speak conscientiously on this matter; I really do not know if he was a freeman or not; I have no knowledge in the least degree about it.

469. You say his name was given in; to whom was it given in?—Perhaps if you had the poll-book I could tell.

470. How would the poll-book assist you?—If there is such a person down, I should believe he is the person.

471. That is not what you are asked; you say that the name was given in as a messenger; you would not find that in the poll-book, you know; I asked you to whom it was given in, and by whom?—Mr. Smelt gave the names all in, the names; no, I believe he did not; Bell gave me the names.

472. What, were all the names of the messengers given to you, or the major part?—Yes, for the payment of the election of 1835.

473. What, was it a written list given in to you?—There might be some 20, I think.

474. Have you got that list?—No.

475. About 20, you say?—Yes.

476. What have you done with that paper?—I never kept it.

477. Did you give it back to Mr. Bell?—I am not aware what I did with it; I gave a cheque, or at least I paid the amount.

478. By cheque?—Yes.

479. What you did with the paper you do not know?—No.

480. What, in the course of your usual mode of transacting business, would you do with such a paper; what was your habit?—I never kept them during the whole time I have had anything to do with elections.

481. Were you treasurer at the election of 1835?—I was.

482. Have you passed your accounts as treasurer?—Yes, I have handed in the amount.

483. With whom did you pass your accounts?—I stated to Mr. Lowther the amount that had been expended.

484. What, by word of mouth, or did you give him a written statement?—No, by word of mouth.

485. Did you say you have given in no written statement?—I have given in no written statement.

486. Did you give any vouchers?—No.

487. No papers at all?—No.

488. When was it you gave to Mr. Lowther the amount?—It was during the prorogation, or the short adjournment of Parliament; Mr. Lowther was down in York.

489. That would be May?—Yes.

490. You were in advance; had you advanced cash?—I was sometimes in advance, and sometimes the reverse.

491. Where did you get your funds?—From Sir John Lowther.

492. From Sir John Lowther?—Yes.

493. When did you begin to get the funds from Sir John Lowther?—I speak from dates; I think the beginning of February.

494. That would be after the election was over?—Yes; then I was on the adverse.

495. Did you advance the funds for the election?—Yes.

496. Out of your own resources?—Yes, out of my own resources.

497. You have spoken of paying by cheques; what bank did you draw upon?—The York Union Bank.

498. Are you a shareholder and director of that bank?—I am.

499. What account did you draw the cheques upon?—My own.

500. Had Mr. Lowther any account there?—No, none.

501. Had you no papers connected with that election in your possession?—None.

502. What have you done with them?—I have not kept any.

503. Do you mean that you have destroyed them all, or have you given them over to any other person?—I have not kept any.

504. Do you mean to say you destroyed them from time to time?—Yes, I did.

505. So that at that time, when you gave in the amount to Mr. Lowther, there were no papers?—There were no papers except one bill, which was unpaid.

506. With respect to this Mr. Ferrand, was it Mr. Thomas Ferrand?—I am sure I do not know.

507. Mr. Thomas Ferrand, carver and gilder, Monk Bar?—I do not know.

508. Do you live at Monk Bar?—I live without Monk Bar.

509. Do you know Mr. Ferrand, carver and gilder, your neighbour?—No; I believe there is no such person living there, to the best of my belief.

510. What, that there is no such person?—To the best of my belief, there is not.

511. What, not Thomas Ferrand, carver and gilder, Monk Bar?—No.

512. Do not you know Ferrand, the carver and gilder?—No.

513. You never heard of such a person?—I think not.

514. How long have you lived in York?—Twenty-two years.

515. What was the amount you gave in to Mr. Lowther as having been expended?—£. 1,931.

516. You say this was divided into heads upon a paper?—Yes.

517. Give us the heads as nearly as you can?—Perhaps I can refresh myself by my paper. The band and banner-men 300 *l.*, including colours; professional men 250 *l.*

518. Does that mean lawyers?—Yes. There were different publicans' bills, to the amount of 500 *l.*, as near as I can tell; they will not vary those sums 10 *l.*; printing and advertising 250 *l.*; body-guard 130 *l.*, and ditto 40 *l.*

519. Explain to the Committee how that arose?—The 40, I believe, principally were not freemen; there was not so much excitement in the town as on former elections, yet we did conceive it necessary to have a pretty good strong protection, particularly after the exhibition at the nomination.

520. When all the other party appeared with staves?—Yes, as if for a riot. We thought we would employ 40 men, who were paid 1 *l.* each for the four days; messengers and bill-stickers, 100 *l.*; sheriff's bill, 55 *l.*; committee-rooms, 70 *l.*; charities given away in different clubs, and missionaries, and all that sort of thing, for which application was made on the election; that would amount to 50 *l.* to the best of my recollection. Out-voters, chairman and cabs, 160 *l.*; Blue balls (I ought to explain that): we had a number of balls after the election, which the freemen's wives attended; they had balls. The parties paid 2 *s.* a head, and the ladies were entertained at the expense of the candidate and ourselves; that was 150 *l.* This was the latter end of March; I was in London at the time it took place. Miscellaneous expenses about 100 *l.*, including banners and colours; that will be as near the sum as possible.

521. When you say professional men, and that you mean lawyers, do you mean barristers or attornies?—Attornies and agents.

522. By the *Committee.*]—You have stated that the amount given in to Mr. Lowther was 1,931 *l.*; the aggregate sum you stated was 2,160 *l.*; how was the difference paid?—There was a bill I paid afterwards; all the bills were paid but one or two small ones. The principal bill that was to pay was 159 *l.* to the George Inn, where Mr. Lowther stayed; it was that bill; there have been most shameful reports about including 50 *l.* for the house.

523. In the addition to the 1,931 *l.*, 190 *l.* was paid by Mr. Lowther for the bill at the George?—Yes; that was 50 *l.* for the committee-room; and 250 of the gentlemen dined there, and they paid so much a ticket, and the broken glass they paid for after the election, at the conclusion of the chairing.

524. By Mr. *Hill.*]—So that it makes a total of about 2,000 *l.*?—Yes.

525. The publicans' bills were 500 *l.*; that was a round sum of 500 *l.*, or as near as you recollect?—Within 30 *l.* or 40 *l.*, I should think.

526. Have you got a list of the publicans you employed?—No, I have not.

527. How many open houses were there?—None that I am aware of.

528. What does this mean, 500 *l.*?—During the canvass, which extended itself six or seven days, we had a large party; we all had a lunch at some house during the middle of the day. Mr. Lowther was a delicate man, and it was hard work. We had lunch, which would stand us 100 *l.* out of that.

529. The other 400 *l.* is for what?—This 130 *l.* is for the George Inn; that is included.

530. If these items were added up, would they come to 2,160 *l.*?—Yes, somewhere thereabouts.

531. You told us at first it was 1,900 *l.*?—Yes; but I said there was a bill unpaid at that time.

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532. That bill you have taken into account here, when you have said 500 *l.* was the amount of the publicans' bills?—Yes; and in every ward, where we had five or six polling booths, there was a committee. It was understood the gentlemen, who were extremely active, should dine together afterwards, which was told them at the time, and that they must pay for themselves; but after that I paid the bills. It did not create very pleasant feelings among them, and I paid it.

533. What did that amount to?—I should think they would average 30 *l.* or 40 *l.* a-piece; they varied as much as possible, and one ward was less than others.

534. What, for the two days in each ward?—Yes.

535. Supposing there were six wards, that would be 500 *l.*?—Yes.

536. That includes all that was spent among publicans?—Yes.

537. Which Mr. Lowther paid for?—Yes.

538. As to the body-guard, that was a body-guard for which 130 *l.* were paid; how much did you pay per man?—I do not know; I believe it would be 10 *s.*

539. Whom were they paid by?—They were paid by Mr. Bell.

540. Do not you know what he paid?—No; but I expect 10 *s.*

541. You do not know?—No; I expect 10 *s.*

542. Where was the payment by Bell made?—I do not know.

543. Have you no belief on it?—No.

544. You mention 10 *s.*; is it per day, or is it 10 *s.* per man?—Per man; that would include some other incidentals.

545. Were those persons freemen?—No.

546. I do not understand why there is a division in the two sums?—Forty pounds; the men were employed four days; that is, the nomination day, the two polling days, and the chairing day. There was part of the body-guard employed for the nomination day, some 20 or 30 in the morning. On the chairing morning, coming along Coney-street, I met a gentleman of the name of Kettlewell; he stated to me he had confident information that an attack would be made on Mr. Lowther; it was determined by the party he should not be chaired. I came in, perhaps excited, in the room, and I said to Bell, "Put down every man you find, do not mind what you pay;" I said, "Pay what you will." That led to the 130 *l.*; and the fact is, the attack did take place, and in the most dastardly, cowardly manner.

547. I hope you beat them?—I did, thoroughly; if it had cost me 1,000 *l.* they should have been beat.

548. Have you given the Committee an account of the whole expense attending the election?—No, certainly not.

549. What were the additional ones?—Oh, yes; I thought you meant Mr. Lowther's committee.

550. This Committee?—Yes, of all the expenses that came under my hands.

551. Was there any public breakfast given?—There was.

552. By whom?—By me.

553. When was that?—On the nomination morning.

554. At your own expense?—Yes, at my own expense.

555. How many persons had you for that?—About 28 *l.*; I believe they charged 3 *s.* a-head for them.

556. Have you had a service of plate for your services for this election?—I had a present made me by Mr. Lowther; I did not consider it a service. I am not in a situation to require to be paid for my services; it was a compliment.

557. Now, was there a service performed by Mr. Lowther's voters in reference to the county election?—I did not employ myself in that way.

558. I ask you whether there was not a service performed by some of Mr. Lowther's voters in respect of the county election?—I have no knowledge that there was; my belief is there were a certain number employed in that way.

559. What were they employed to do?—I was a member of Mr. Duncombe's committee, and I believe it was determined by the committee they should have a certain force of body-guardsmen, and men to attend Mr. Duncombe and Mr. Walker on the nomination day.

560. And were those body-guardsmen selected out of the freemen of the city?—

city?—I did not give any orders about them. I am called here to state what I know; I know nothing at all about it; I do not know that they were.

561. You never heard?—Yes; I read the petition, and I heard the charge; I read the same, as I read the bill at the George was 2,300 *l.* Two or three aldermen said they were quite shocked at it.

562. Now, do you believe or not that the body-guardsmen who were employed at the nomination of the county election, were or were not freemen in the Lowther interest, freemen of the city of York?—I believe a great many were not, and that a great many were.

563. Which election came first; the county?—The city always, by a week, I should think; the nomination is at the city.

564. The nomination of the county election was after the city election was completely closed?—Yes, a week afterwards, or ten days.

565. When was the setting down for the city election?—I do not know.

566. You can give me a notion?—I have no notion.

567. Why, it was in the committee-room, was it not?—No; I saw no person setting down in the committee-room.

568. Where was it?—I understood it was at the bottom, in a room below-stairs, kept for registering of voters.

569. In the same building?—Yes; I believe it was the registering of voters.

570. Do you mean entering those who came to give their promises to vote for Mr. Lowther?—Yes.

571. That is the setting down; you understood me to mean the setting down?—No; you asked me if a person was there to take the register of any freemen, to have his name put down.

572. Is this the same transaction as you mean by setting down?—It is registering a voter.

573. It is the same thing as setting down?—I did not say anything about it; what do you mean by it?

574. You gave us an explanation of it some time ago; do you mean by this registering, it is the same thing as the setting down?—If you give me your explanation of setting down.

575. That is the only answer you give?—Yes.

576. A person registering voters?—I saw him once or twice.

577. Was this the person whose name you have given to us?—So I understood.

578. Was it Ferrand, or not?—Upon my word I would not come to tell an untruth; I did not know him; I do not know him if I see him.

579. Is it this man you have been speaking of, Mr. Ferrand; is that the person who was in the room below registering voters?—I expect it was.

580. Have you any doubt about that?—I should have none myself.

581. This registering in the room below was of the city voters?—Yes it was.

582. To your information and belief, were not persons who entered themselves as plumpers at this registry, promised that they should be body-guardsmen at the county nomination?—I believe not.

583. Perhaps you believe nothing was said to them on the subject?—I believe such a rumour was in the town.

584. Do you believe, from what you know of the election, that nothing was said to them at the time of registering, on the subject?—Am I to give my conjecture? I know no other.

585. You said you believed not?—I believe not; I was not in that room, and I know nothing about it, in fact; therefore it is rather hard that I should be asked to give my belief of what I do not know.

586. Have you not heard, and do you not believe, that the city voters were offered, as an inducement to vote for Mr. Lowther, that they should be employed at the county nomination?—I believe not.

587. Do you know that the city freemen in the Lowther interest were paid for assisting at the show of hands at the nomination?—No, I do not.

588. What is your belief?—I believe that some part were paid.

589. What was the hire for holding up a hand at the county nomination?—I do not know.

590. What is your belief; do you believe that it would be 3*s.* 6*d.*?—Yes, I should think it would; so I have heard by common report.

591. Did the persons who had voted on the first day for Lowther, come to register

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register that they had done so, or to have any minute made of that fact at your committee-room?—No; I am not aware of it at all.

592. But it was in this building?—No; I am not aware of it.

593. To your knowledge and belief, did not those persons who had voted on the first day for Lowther, and who gave information to the committee, or some persons appointed by the committee, of that fact?—I believe not.

594. Do you happen to know whether many persons who had voted for Mr. Lowther on the first day, were or were not appointed to hold up hands at the nomination?—I do not know.

595. You have heard?—Yes, I have heard.

596. What do you believe upon it?—I believe they were so employed, some of them; some 200 or 300.

597. Who had the selection of the persons who were to be paid for holding up hands?—I do not know.

598. Whom have you heard?—Not any person.

599. What is your belief upon it?—The selection of who were to be paid for holding up hands, it was understood Mr. Walstanham was to do it.

600. Was he one of your committee?—No.

601. Who appointed him?—He is connected with the county; a member of Mr. Duncombe's committee.

602. Is he a York gentleman?—Yes.

603. A voter in York?—Yes.

604. Did he vote for Mr. Lowther?—Yes.

605. Was he not one of Mr. Lowther's committee?—I am not quite sure of that; I was never in the committee-room.

606. Do you know how he made this selection; what materials he had?—No, I do not.

607. By the *Committee.*]—How do you know Mr. Walstanham gave the orders?—It was resolved by the committee to ascertain what number should be employed. Mr. Walstanham was the acting gentleman; he always gave the orders.

608. You were present on the committee?—Yes, when it was so resolved.

609. By Mr. *Hill.*]—Which committee?—Mr. Duncombe's committee; the city committee.

610. Were Mr. Graham and Mr. Richards the agents for Mr. Lowther at the last election?—Yes.

611. Was Mr. Harewood?—No, he was not an agent.

612. Was he actively engaged in the election?—Yes; I believe by canvassing.

613. Mr. Charles Woolans?—He was constantly in the committee-room, and about.

614. He was one of the committee?—We really had no committee; any person came in who liked.

615. Any person who acted was considered as a committee-man?—Yes.

616. Did he act (Mr. Woolans) as the others did?—What did the other committee men do? He walked about with us on the canvass, and very likely, when we came to take lunch, he took it with us.

617. You were chairman?—No.

618. Who?—Mr. Barstow.

619. If there was a chairman there must have been a committee?—It does not follow that he was chairman of a committee; he would be so of a meeting; you may call it the committee if you choose.

620. Having regard to this mode of choosing the committee, or their choosing themselves, I want to know if Mr. Harwood was not one?—Yes.

621. Mr. Charles Woolans, was he one?—Yes.

622. And Mr. Richard Bell?—I do not recollect seeing him in the committee-room.

623. Was he not acting with you, doing all he could for the election?—I dare say he did.

624. He had the direction of setting down?—No, I do not know that he did; in 1832 he had.

625. What was it in 1835?—I do not know.

626. Nor ever heard?—No, nor ever heard

627. Mr. James Ledley, was he a member of the committee?—No.

628. Was

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628. Was he actively engaged?—I did not see him.

629. Do not you know he was actually engaged in the election?—No.

630. What is your belief?—He always was there, I have no doubt.

631. Have you a doubt that he was doing all he could for you?—No doubt he was.

632. Was George Angell Smelt?—He was not on the committee; he was a person we employed.

633. Was he a paid agent?—No.

634. Was he not paid anything?—No.

635. Mr. Short?—I believe he is Mr. Graham's clerk.

636. And Mr. Rutlidge?—He is Mr. Richards's clerk.

637. By the *Committee.*]—Would you say who was the chairman of the committee?—Mr. Barstow.

638. You are talking of the county committee, are you not?—No.

639. By Mr. *Hill.*]—As far as your information and belief go, did any other candidate besides Mr. Lowther set down?—Yes.

640. Whom?—Mr. Dundas, and I have heard, Mr. Barclay; I merely give the rumour of the town; I know nothing of my own knowledge. I have given rumour all the way. What I meant to say is this: it is merely just to state that when I have been speaking of many transactions, I merely heard them from rumour.

641. In many instances when you have said you believe without knowing, your belief is founded on rumour?—Entirely.

642. Do you believe the fact of setting down on Mr. Dundas's side in 1835?—Yes.

643. And Mr. Barkley?—I doubt that.

644. When you have told me that you believe any circumstance, do you really believe it; however your information came to you, do you really believe it to be true?—When I said I believed so and so, I gave it as my belief, of course; but my belief has been founded on rumour in numerous instances.

645. Go back to the election of 1832; did Mr. Petre set down in 1832, according to your information and belief?—Yes.

646. By the *Committee.*]—What grounds have you for that belief?—Merely the common report of the town.

647. By Mr. *Hill.*]—Who began to set down first, according to your information and belief in 1832, Mr. Lowther or Mr. Petre?—I do not know; I should say Mr. Petre. I have no reason; merely rumour.

648. Do you recollect that after Mr. Lowther began to set down, that votes began to go over to Mr. Petre, and then that you heard that Mr. Petre was setting down?—No, I am not aware of it.

649. Did you not find at a particular part of the election, before the polling began, that your votes were running over to Mr. Petre?—I am not aware; we did not lose many votes upon our promises; we never calculated in succeeding; we voted upon chances; Mr. Bayntun not coming up.

650. Recal to your recollection the circumstances of that election, and tell me if at a particular time you did not find your voters running off to Mr. Petre?—I have no knowledge of it.

651. You say you did not calculate upon success at that time?—Not if Mr. Bayntun came.

652. You have told us that at the election of 1832 you did not expect to succeed; did you expect that the payment of the 3 *l.* and 1 *l.* per man would lead to success next time?—No, I did not; I made no such calculation.

653. Had you promised 3 *l.* and 1 *l.*?—I never promised a man in my life 1 *s.*

654. But had your party held out expectations?—I cannot tell.

655. Have you never heard say that your party held out, before the election of 1832, expectations that there would be 3 *l.* and 1 *l.* paid?—I have heard such a rumour.

656. Do you believe it?—I can believe a deal of things foolish people would do; I do not know what ground they have for going upon.

657. You have heard the rumour; do you believe that such expectations were held out to your voters?—I do not believe it had been by any gentlemen connected with Mr. Lowther's committee.

658. How came you to pay 3 *l.* and 1 *l.*?—The principle I paid money upon, I declare it solemnly here, it was for services done and work performed; it includes,

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includes, that 1,050 *l.* includes a great many items; we were six weeks canvassing.

659. What you paid to the messengers, body-guardsmen and bill-stickers having reference to what you have already stated, tell the Committee whether that money was paid for services actually performed, or with the expectation that at the next election Mr. Lowther would reap the benefit of such payments?—I paid the money under the expectation that it was for services performed.

660. Without any reference to the next election?—I had no reference to it; I paid it, as I understood, as an act of justice and right.

661. By the *Committee.*]—You stated yesterday, you should say it was an encouragement to give a double vote next time?—It was merely an inference from the effect; I stated it to be the effect of it; I gave my inference from the fact.

662. By Mr. *Hill.*]—Having, by the honourable Chairman, your attention called to what you said yesterday, do you still persist that the 3 *l.* and 1 *l.* were paid for services performed, and not with reference to future votes?—I believe it was paid for services performed, and not with reference to future votes.

663. By the *Committee.*]—What do you mean by services performed?—By being employed as messengers, runners, and so forth.

664. By Mr. *Hill.*]—You said yesterday, "I believe honestly, that with the majority of the messengers it is a mere name"?—I believe what I said was, we had more messengers than was necessary; at the same time, you could not make a distinction if a man is put down as a messenger; I did not pay them nor know who paid; I acted the nominal part of handing over the money.

665. Do you believe money was paid to persons who did not act as messengers, whether the service was important or unimportant?—I believe they claimed it on that account; I have no knowledge; I know for certain men were paid who had not performed service.

666. Many messengers who were not voters were paid as much as those who were voters, were they not?—I do not know.

667. You wanted messengers and guardsmen in guarding your booth?—And there was necessity for both.

668. In the election, you could not be very particular in taking a man more or less than you wanted?—So I believe; I was not in the detail of the thing.

669. It was mentioned yesterday, that you thought this might be an encouragement to them on a future occasion; do you, in your private affairs, give a preference to tradesmen you employ, a preference to persons of your party?—That is a close question to put; I did decidedly.

670. You had stated yesterday, that these messengers were put down, and received 3 *l.* for 12 days' service; it might be an encouragement for a future occasion to give their votes?—I said, I was asked if that argument was used, I said, no; I was asked my belief if it would act so, I said, I believed it would.

671. In your private affairs, should you give the preference to the tradesmen you employed, to persons of your own party?—Certainly.

672. Should you by so doing think you gave them encouragement to vote on your side?—Certainly, it is commonly done with all parties.

673. You never considered that a corrupt encouragement?—No, I did not.

674. By Mr. *Hill.*]—Pray, when a person came to set himself down, and offered to give a plumper, was he ever refused?—I never saw a person set down.

675. To your knowledge and belief, would he have been refused; suppose he came to set himself down, or register, as you call it, for a plumper, would he have been refused?—He would not be refused as a matter of course.

676. Would he have been refused to put down in the list of messengers if he came to tender his plumping vote?—He would not in 1832.

677. If 1,000 persons had come offering plumper votes in 1832, they would all have been registered as messengers?—There would have been a limit to that of course, if such a thing had occurred.

678. Would there indeed?—No doubt of it.

679. Do you know if, in any of your committee meetings, any suggestion of a limit was made by any person whatever?—I never heard it named in the committee-room.

680. Do you know if the person keeping the register had any orders or suggestions,

gestions, or hint or intimation, that a limit would be put to the number of messengers?—I believe not; they were registered.

681. By the *Committee.*]—Would the whole of those whose names might be put down under such circumstance have been expected to act as messengers?—So I understood it in 1832; but I never was in the committee, and knew nothing of the system, nor do I know anything of it now; I understood they had been all so employed.

682. By Mr. *Hill.*]—Do you happen to know who it was paid 3*s.* 6*d.* for holding up hands at the county nomination?—No.

683. Have you never heard?—Yes.

684. What is your belief of it?—It was a person of the name of Smelt, I believe.

685. Who gave him the money for that?—I am director of a bank; I left orders with our managers to advance, on the account of Mr. Walstanham, what Mr. Smelt wanted, which Mr. Walstanham paid by a cheque.

686. It came from your bank?—Yes, in silver; we had a large quantity of silver.

687. Were you bankers to Mr. Duncombe and Mr. Walker?—No, but I paid different sums of money on the account of Messrs. Duncombe and Walker's election.

688. Perhaps you paid for the body-guard as well as the hand-holders?—Yes, I should pay all that came to that account; all coach fares and other things.

689. For the county election?—Yes, and for the band.

690. Was it the same band that worked for you?—I do not know at all.

691. Do not you know?—I do not know indeed; if you should ask my belief, I should say it might be composed principally of the same party; I do not know it.

692. Do you know a person of the name of Scowing?—I know Mr. Sheriff Scowing, and I know his son, James Scowing.

693. Of the White Swan?—He lives there.

694. Were the body-guardsmen at the nomination at the county election, and the holders up of hands, paid at Scowing's?—I do not know.

695. What is your belief?—I believe it was; it is merely from report.

696. Have you a belief or not?—I believe the report.

697. According to your information and belief, where were those paid who held up their hands at the nomination; at Scowing's, or at the George?—Those for Messrs. Duncombe and Walker, I have heard it from rumours that they were paid at Scowing's.

698. You believe that?—I do.

699. Both body-guardsmen and the others?—Yes.

700. By the *Committee.*]—What grounds have you for believing that; who did you hear that from?—I do not recollect. In the news-room these things were being talked of. I am giving nearly all this principally from that; I cannot charge my memory.

701. Do you state these rumours as a general report of the inhabitants of the city of York?—Sometimes they told one thing, sometimes another. If asked if I believe them, I am bound to say if I believe them or not.

The *Chairman* intimated to the Counsel, that what the witness heard from the news-room ought not to be made evidence.

The *Witness.*]—When I said the news-rooms, I mean generally in the streets and places of public resort.

702. You do not recollect from what party or person you heard it?—No.

703. Do you distinctly recollect having heard it in the news-rooms?—No.

704. You may or may not have heard it, but you do not recollect any specific individual from whom you heard it?—No, I do not.

705. By Mr. *Hill.*]—You say you advanced some of this money to Smelt?—I did not say I advanced it.

706. From your bank it went to Smelt?—Yes, to the best of my belief.

707. When was it returned to you?—Certainly within a week or fortnight.

708. By whom?—By Mr. Walstanham. It was entered in no book, the payment of it; but the cheque from Mr. Walker of 340*l.* I paid altogether for him.

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709. Pray, do you know of any payments being made from the hay chamber window at the George Inn?—No.

710. Have you heard of any?—No, none. I think I ought, about the county, to explain about the *5 s.*; I ought to explain about the *5 s.* for the county. We determined that 200 men should be employed for the chairing-day; on the morning I found it was believed by another gentleman that a large party were mustering on the other side. We sent a message to Mr. Smelt to put down more, and make it 300 or 400 men for the county.

711. To the chairing of the county?—Yes. I want to account for the cheque of 340 *l.* I received from Mr. Walstanham.

712. You were only asked as to that payment for holding up hands on the nomination day, and the body-guardsmen on the nomination day?—I thought they were all paid *3 s. 6 d.*

713. What do you mean by the *5 s.*; you mean an entirely different payment, do you not?—Yes, I do.

714. Pray have there been any payments made in respect of the January election since you closed your accounts?—Except that which I told you of, 170 *l.* or 190 *l.*

715. With that exception?—I have made none, with that exception. I will not say I have not paid *5 s.*, or some such little charge as that.

716. You have made no large payment?—None.

717. By the *Committee.*]—You stated you closed your accounts in May?—I know Mr. Lowther was at York at the time during the adjournment of Parliament.

718. By Mr. *Hill.*]—Though you closed your accounts in May, if I understand right, every item in the account had reference to the month of January or early in February?—No. I was in London in March for three weeks; I did not pay any of the innkeepers' bills till I returned; I paid some higher amount. I staid in London longer than I expected. I paid immediately I came back.

719. Have you made any payments of any importance, not included in this list?—No.

720. With the exception of what you have mentioned?—No.

721. You say you were up in London in March; were you in communication with Mr. Lowther?—Yes.

722. And up to the present time?—Yes.

723. And with Sir John Lowther?—No; I have not seen Sir John.

724. Have you communicated with Mr. Lowther from time to time to the present moment, with reference to the expenses of the last election?—After I delivered in my account the matter was concluded.

725. You have had no communication since May, with reference to the expenses?—No.

726. But up to that time you did?—Yes; it is a sort of thing I do not write about at all. It is generally settled personally.

727. In May last, when you rendered your account to Mr. Lowther, had you heard of letters being sent to his voters with sovereigns in them?—I did not know of it before I rendered my account, or after. I have heard of letters being sent.

728. Did you mention the subject to Mr. Lowther?—No, I did not.

729. You never did?—No.

730. Though you say you are in constant communication with Mr. Lowther, you never heard of it?—No; I may hear once in five or six weeks perhaps of him.

731. Has no correspondence passed between you by word of mouth, or by letter, on this subject of letters being sent to his voters with sovereigns in them?—When the petition was presented, as to Mr. Lowther, he wrote down to me to inquire about it.

732. Until then, had you correspondence or communication with Mr. Lowther as to those sovereign letters?—None whatever.

733. How soon did you hear of it in York?—I should think I heard it in the street.

734. The same day the letter came?—Very probably.

735. We learn by the petitions the day is about the 16th of April; is that about the day you heard of it?—I should think so; the impression on my mind is that I should hear it that morning.

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736. Were you very much surprised at it?—Yes.

737. Very much?—Yes.

738. You were quite unconscious, up to that time, that anything of the sort would be done?—Quite so.

739. Did you talk to your brother committee-men about it?—No.

740. To whom did you express that great surprise you felt?—I did not express it to any person.

741. You kept it locked up in your breast?—Very likely I might talk about it.

742. Give me the name of any person to whom you expressed surprise about this transaction at the time?—Mr. Bellerby, at the news-room door.

743. What was he; a member of your committee?—I should think he was; I believe he was.

744. Anybody else; did you express surprise to anybody else?—I do not know; I cannot recollect.

745. Is Mr. Bellerby the editor of the Yorkshire Gazette?—No, he is the publisher.

746. That is a Conservative paper in your interest?—Yes, it is.

747. Did that surprise you expressed to Mr. Bellerby get into the Yorkshire papers?—I think it was in some of the papers, something about Blue.

748. I am not talking of the transaction; but did Mr. Bellerby express the surprise you felt as treasurer, and the other gentlemen of the committee, at this transaction of the sovereign letters?—Did he publish in the paper my conversation?

749. Did he put in the paper that the party were very much surprised at it?—I am not aware of it.

750. You were going to tell us what was in the papers about the Blues?—I cannot recollect it; there was a talk about Blue.

751. Hearing this on the 16th of April, and feeling great surprise, why did you not communicate with Mr. Lowther on the subject?—Why should I?

752. Is that your answer?—Yes.

753. Do you know, now, who sent those sovereigns about?—I do not.

754. Have you ever heard?—I have not.

755. Have you any belief upon it?—I have not.

756. Do you know that handwriting—[*A paper shown to the witness*]?—I do not.

757. Do you know that handwriting—[*A paper shown to the witness*]?—I do not.

758. Do you know that handwriting—[*A paper shown to the witness*]?—No.

759. Did any voter apply to you on the subject of the sovereigns?—Yes.

760. Can you tell us any names?—I really cannot.

761. How many applied to you, do you think?—One or two, not more than three.

762. Then it is not very difficult for you to give the names?—You fancy I know all the voters. I know very little of them; I do not know their names. I recollect one man in particular, a drunken fellow, came one day and said he wanted his sovereigns; on that I would not see him, my servant turned him out. I believe he lives in Walm-gate; he is a pensioner.

763. Do you happen to know his name?—I cannot call it to mind.

764. What trade is he?—I should think he is no trade.

765. Merely a pensioner?—Yes; and he runs of errands for the carrier.

766. Do you know a person of the name of Robert Ellison?—That would be his name, I think.

767. Did that man see you, or did he not?—He saw me at different times; I met him one day in the street.

768. Did he apply to you?—Yes, he did.

769. What for?—He said two sovereigns had been sending about, and he wished to know about it, as he had not got any.

770. Do you know when that was?—No; soon after.

771. Supposing the day you first heard this to have been the 16th, when would this application be?—Three or four days after.

772. Did he apply to you subsequently to that?—Yes, he has applied at different times, not lately. Whether he has got the money, I do not know.

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773. How long was the last time he applied after the first?—I should think it would all happen within a week.

774. By the *Committee.*]—What did you say to Ellison?—I told him I knew nothing at all about it, and had nothing to do with it, and I would send for a constable and have him taken up, if he did not get away.

775. Was he a voter?—I believe he was; my impression at that time was that he was not a voter; I looked to the poll-book and I could not find him, he had given me a wrong name.

776. By Mr. *Hill.*]—He did not give you the name of Robert Ellison?—I could not find that name in the poll-book, certainly.

777. Say what passed; you said, "You are not a voter?"—He said he was a voter; I said, "Well, I cannot help that," that was my observation; he said, "A good many of them have got sovereigns;" I said, "That is no business of mine, and ——"

Mr. *Wrangham* objected to any inquiry as to Robert Ellison, his name not appearing in the list.

Mr. *Hill* said he did not mean to charge Robert Ellison, but to get evidence as to the witness's conduct on that occasion.

A Member of the Committee asked Mr. Hill if he intended to draw answers that might be criminatory to Mr. Hudson.

Mr. *Hill* said he meant to cross-examine Mr. Hudson, to all the truth he could extract from him, leaving the Committee to deal with the facts as they chose.

Mr. *Hill* was asked if he meant to put questions to Mr. Hudson to criminate him out of his own mouth.

The learned Counsel said he intended to ask all questions; and if he stated anything to criminate himself, he could not refrain from asking questions on that ground, though that was not his object.

The Committee-room was cleared.

After some time the parties were called in, and informed that the Committee have resolved that no evidence should be gone into at present against Robert Ellison; and they expressed a strong wish that the Counsel, without dictating the course to be pursued towards their clients, should produce the most cogent evidence on the strongest part of the case; also to remind Mr. Hudson that he was not bound to answer any questions which, in the opinion of the Committee, would criminate himself; of course they would expect no evasion in the replies.

Mr. *Wakefield* made a complaint to the Committee, that during the time Mr. Hudson was out of the room he had conversed with several persons, and he requested him not to do that.

The *Committee* thought there was no ground of complaint.

778. By Mr. *Wakefield.*]—Your knowledge of letters containing money is entirely confined to what passed between you and Mr. Ellison?—He made application to me.

779. You have no further knowledge than what he communicated?—My knowledge was confined to what I heard from Bell, who was the first person that communicated it to me.

780. Do you know from any but him that they named anything about money in letters?—I am in the habit of dining with the postmaster, such things are named sometimes in company; if the object of the question is as to my knowledge of money being sent, I have none.

781. Was any application made to you for money, except by Ellison?—None. I should think there were two; one or two; I do recollect one or two instances of men applying to me for money; I do not know their names. Whenever an application was made to me, I said "I have nothing to do with it, and know nothing about it."

782. You are unable to give any other name?—Yes, I am.

783. To the best of your belief, you do not believe anything passed as to money being passed in these letters, except with Ellison, and in the way of vague conversation?—Nothing else.

784. What

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784. What was the reason of examining the poll-book when Ellison applied to you?—He told me he was a voter, and he looked such a queer old fellow I fancied he was not a voter. I had the curiosity to inquire; he appeared an odd sort of a man; I thought he was coming merely to annoy me.

785. You have stated it is your belief letters containing money did arrive in York from London?—No, indeed, I have not.

786. You say you believe letters arrived in York containing money for the voters?—I believe it from common report.

787. When do you believe they came?—I have no knowledge nor belief on the subject.

788. Have you any belief as to whose money it was contained in them?—None.

789. Do you know anybody of the name of James Whitwell?—I do.

790. Has he been in your employment?—Six or seven years ago.

791. Is he a freeman of York?—Yes, I believe he is.

792. You know he is?—I really do not; the impression on my mind is that he is; I have no doubt about it.

793. When did he leave York?—It must be two years ago, I think.

794. Where did he go to reside?—I think to London.

795. Had you any communication with him after he ceased to live at York?—I saw him in London in March last.

796. By writing?—No, I never wrote to him in my life.

797. Do you know of his having been written to, to tell him to come to York, and telling him his expenses would be paid?—He told me so in the entrance. I was out of business for two years; I left him in the employ, and he had no communication with me directly or indirectly.

798. Do you not know of that letter having been written by Mr. Graham?—I think there was a conversation occurred respecting it. Mr. Graham asked me to write to him; I said "No." He said "Why, we should not throw a vote away." I understood he was at Cheltenham; to fetch a man from Cheltenham I thought was needless, and whether a letter was afterwards wrote or not I do not know: that is what occurred in the evening, in the small committee-room. I did not write to him.

799. Do you know of that letter being written?—I do not.

800. This conversation took place with a view of writing to him?—It did.

Mr. *Wrangham* states that the party named Whitwell was not named in the list of the persons charged.

801. How long had he left York at the time this conversation took place?—I cannot tell.

802. As near as you can state?—I think he had left; I have got a confused recollection, having left the business; I was quite unconnected with it. He was in London no doubt in March last, and I should say he was not in York six months.

803. When did this conversation take place between you and Mr. Graham?—During the election.

804. You cannot say how long he had been gone?—Not six months, I should say; it is difficult to charge oneself with eight or 10 young men.

805. When did you come back to the business?—Last November.

806. Did you find him there?—No; I do not think he had been left long then.

807. In this conversation between you and Mr. Graham, was anything said about giving him 5 *l.* over and above his expenses?—Nothing of the kind.

808. Such a thing was never hinted at?—Never hinted at.

809. You told the Committee that Bell gave in Ferrand's name as a messenger; how came he to do that?—He was employed; he paid the messengers.

810. In 1835?—Yes, to the best of my recollection.

811. Did he or did he not pay the messengers?—One cheque was for 70 *l.*

812. Mr. Bell drew a cheque?—No, I did.

813. Which you gave to Mr. Bell?—To the best of my recollection; but in payments of that kind, it is very difficult to say.

814. Generally speaking, did Mr. Bell pay the messengers in 1835?—I am not certain whether it was Mr. Bell or Mr. Smelt. Mr. Richardson was responsible to me for payments of that kind; Mr. Henry Richardson, he was responsible

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sible to me. I know I gave a cheque for 69 *l.* odd. I am not certain whether it was to Mr. Bell or to Mr. Smelt.

815. Do you know if Mr. Ferrand is any relation to Mr. North?—No, I do not know.

816. You know that that name was mentioned yesterday?—Yes; I believe I was quite mistaken in the name; I gave it to the best of my recollection.

817. What name ought to have been mentioned?—I was told it was not the name; I may have injured two persons from want of recollection.

818. When did you arrive in London?—On Sunday morning.

819. Did you come alone, or in company?—Mr. Graham came with me.

820. He is one of Mr. Lowther's agents?—He is.

821. Have you not been in consultation with my learned friend Mr. Wrangham, on the part of Mr. Lowther?—Certainly not.

822. Have you not taken part in the management of the defence to this petition since you have been in London?—I am not aware; of course, when I was summoned, I could not shut my eye as to what was going on in York.

823. Will you answer that question directly; have you not taken an active part in the general management of the defence to this petition, since your arrival in London?—No; my object has been the protection of myself.

824. You have not?—I have not.

825. Have you taken no part in the management of the evidence?—Not in the management, only as an individual.

826. Have you given your advice as to the manner of conducting the defence?—I should not be justified in so doing when there are two professional men.

827. Do not you take a deep interest?—Yes, of course.

828. Have you not taken as active a part as you could in arranging the defence to this petition, as far as it was proper for you to do so?—As far as proper. I have done that which is proper.

829. Just now you said you had not taken any part?—

Cross-examined by Mr. Wrangham.

830. You have been asked as to payments made; as to advances, payments for breakfast, and so on: I believe that, though in trade, you have considerable property of your own?—Yes.

831. A landed estate?—Yes.

832. In all the three Ridings?—In two Ridings and the city.

833. You have what is called a good estate?—Yes.

834. Now, to go back to the earlier part of the examination: we have been told that there were some doubts of the politics of the corporation of York; can you tell me which way the aldermen voted?—The whole of them voted for Mr. Dundas except the postmaster, who is not qualified to vote, and Lord Dundas is not qualified to vote; he is an alderman; and one voted for Dundas and Lowther.

835. We have heard a great deal of body-guards in the election of 1832; can you tell me if the services of a large body of body-guardsmen were required?—I should say, decidedly so.

836. Were the committee-rooms and hotels where Mr. Lowther was established broken into?—Yes, the committee-rooms; he was in private lodgings.

837. The committee were put to flight?—Yes; night after night they were kept there.

838. Sometimes they were obliged to defend themselves on the staircase?—Yes; sometimes they were obliged to have pokers. Most riotous proceedings took place; that was in 1832.

839. I need not ask if a considerable body-guard is a very useful corps under the circumstances?—Very.

840. Did they assist in resisting these outrages?—They did, a great many of them.

841. One committee-room was at Stonegate?—Yes; that was attacked, I believe, on the second day of polling, in the morning, headed by a person of the name of Leman, I see in the room.

842. What was headed by him?—The mob; it was understood in the town he led them on to the attack.

843. You might say they stormed the rooms?—Yes; the gentlemen escaped by

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by getting over the adjoining wall with much danger to their lives; nothing could exceed their ferocious conduct.

844. If there were any supernumerary messengers whose services were not wanted as messengers, they would probably be employed as body-guards?—I have no doubt of it.

845. So that though there might be too many messengers, their services might be wanted in other capacities?—Certainly; there were not too many if they did their duty.

846. Now we have heard a great deal about a supposed payment of 3 *l.* and 1 *l.* made as to the election of 1832; I think you said there was some resolution of the committee to pay the messengers at that rate?—I think the resolution of the committee was not put into writing.

847. At what time was that passed; previous to or after the election?—I should say a month after the election.

848. We have heard of this payment being likely to encourage those receiving it to vote for Mr. Lowther at a future election; when did the next election for York take place?—In 1833.

849. Who were the persons put in nomination; was there a contest?—Yes.

850. It was on Mr. Bayntun's death?—Yes.

851. Who were the persons put in nomination?—Mr. Thomas Dundas, and during the nomination Mr. Lowther put up; two freemen nominated.

852. What numbers respectively voted?—Eight hundred and seventy-four for Lowther, 1,300 for Dundas.

853. Dundas was returned, of course?—Yes, certainly.

854. Was that the same Mr. Dundas who put up in 1832?—Yes.

855. How many votes had he then?—Eight hundred and seventy-four, or 872.

856. As nearly as possible the same as Mr. Lowther had in 1833?—Yes.

857. He having an increase up to 1,350?—Near about 1,300.

858. Lowther's numbers had declined from 1832; in 1832 he had 884?—Yes.

859. And Mr. Dundas had advanced. After that election, in the interval between that election and that of 1835, the next ensuing election, have you any knowledge or belief as to any money being paid as messengers' money, or anything of that description, by Mr. Lowther or his friends, to those who voted for him?—No; I believe not.

860. Have you any doubt that none was paid?—I have no doubt of it.

861. To go back to the election of 1832. You have stated it was the general impression, that it was your impression, that Mr. Lowther's friends had paid 3 *l.* and 1 *l.* as to plumpers, and 1 *l.* for split votes, plumping money; what is your opinion of the Orange party at that election?—The most profuse and shameful promises were held out to the voters in 1832.

862. There were two candidates. Mr. Petre stood on the Orange interest, did he not?—Yes.

863. What is your impression and belief derived from; the same source you have been speaking of, as to Mr. Lowther's expense, as to the amount of remuneration promised to those who voted for Petre?—I merely gave the report of the town.

864. You gave the impression in the town; prevailing in the town, or was it generally credited and believed in the town?—It was generally believed that to most parties promises had been made, that they had been promised 5 *l.* a man.

865. What ground have you for believing that?—Merely from report; the same as I have given the whole of my evidence.

866. Is your belief on that point as strong as it is on the payment of the running money to Mr. Lowther's account?—Quite so.

867. To come to the election of 1835. What is your impression and belief with respect to the payment of the messengers' money, or whatever it may be called, to those who voted for Dundas?—I have heard it from different members of his Committee, that they paid two different bodies, those who voted single votes, a sovereign each, a sovereign for a single vote, and two sovereigns for a plumper.

867* Can you mention the name of any one person from whom you heard that he himself had paid a large number of voters?—Mr. Sheriff Meek.

868. He was an active partisan, was he not?—Yes.

869. Do you recollect the number of men he had paid?—He told me he had

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paid upwards of 100 in Monk ward; he told me he had paid them as messengers.

870. You took a considerable interest in the election of 1832?—I did.

871. Perhaps you can tell us if there was a great split among the polling party, between Mr. Bayntun and Mr. Lowther?—Yes.

872. Do you know how that arose, or what was the cause of that division of interest?—The fact is, that Mr. Bayntun came originally to York as a Conservative, and afterwards voted to the dissatisfaction of the party; he made a very early canvass in the town; he had a great many who were active, and our committee gave him a vote; a quantity of the Blues voted for Mr. Bayntun, and was strongly opposed to Mr. Lowther for opposing Mr. Bayntun's interest.

873. Mr. Bayntun still wore the Blue colour, though he abandoned the Blue principle?—Yes.

874. Would that have been likely to catch the Blue low voter?—Yes; they said, "I have always voted Blue, and that is what I shall do."

875. Voting Blue is better than voting for Whig and Tory?—Yes.

876. Would many of those persons who voted in 1832 go to Mr. Lowther when Mr. Bayntun was gone?—There is no doubt of it at all.

877. Could you tell me in round numbers how many would go over and become accessions to Mr. Lowther's strength who had been supporters to Mr. Bayntun at the preceding election?—At least 300 or 400.

878. At this election in 1835 you have been asked about a book, and Mr. Ferrand, you say you saw a person you understood to be Mr. Ferrand, writing in a book?—Yes.

879. Now there was an item of 130*l.* for body-guardsmen; will you tell me at what time those body-guardsmen were engaged?—On the morning of the chairing.

880. Subsequent to the closing of the poll?—After the close of the poll.

881. For what purpose were they engaged?—For the protection of Mr. Lowther and his friends.

882. Were their services needed in the course of that day?—They were.

883. In what way?—On coming out of Warin-gate we met a planned attack of the Orange party, with little short staves in their hands; I saw a large stone thrown at Mr. Lowther in the chair, and a strong rush to seize him.

884. Do I understand the procession was allowed to pass till they could act upon the chair?—Yes, it was about the middle.

885. Was it then the service of the body-guardsmen was brought into play?—Yes, successfully; we had long staves; our men broke up their staves; the others were regularly prepared; they intended to injure Mr. Lowther very materially, there is no doubt of it.

886. I hope the body-guard behaved with great valour on that occasion?—They did.

887. Now, with the exception of this disturbance of the chairing, should you say, at the election of 1835 or in 1832, the greatest degree of popular excitement prevailed?—I should say that the excitement in 1835 was nothing; it was quite trifling; I never saw the town quieter to what it was in 1832.

888. In 1832 you say Mr. Lowther had the misfortune to be a very unpopular candidate?—Yes, very unpopular.

889. Does that circumstance account for the difference in the amount of the body-guardsmen and the messengers being larger in 1832 than 1835?—Yes, it does. In 1832 Mr. Lowther was obliged to steal out of the town. My house was attacked, too, and the windows were all broken; but there was nothing of that kind in 1835. I spoke with two or three aldermen and the town-clerk, if they recollected any charge having been brought before them connected with the election of 1835, and they all three positively stated they knew of none, and believed none was brought arising out of the election.

890. You have been asked as to one motive of encouragement and another, to account for this increased majority at the last election; have you a doubt that a considerable alteration has taken place in the public feelings in York?—There is no doubt of it.

891. Have you any doubt that there has been considerable change towards the Conservative feeling in York, which accounts for that difference in his numbers?—Quite so.

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892. Do you believe that to have materially contributed to that majority?—I do.

893. We have heard, that after this election in 1835 a good number of voters who voted for Mr. Lowther were employed, as you have heard and believe, as body-guardsmen at the day of nomination for the county election?—Yes.

894. Did that election take place in the city of York?—It did.

895. So that if the county members required the attendance of the body-guardsmen they would naturally seek for it in the city of York?—No doubt; it has always been the case.

896. Does it not appear to you natural that they should take their attendants and guards of those of the same colour as themselves, and of the same opinion?—Certainly.

897. Probably a good many of the other side were holding up their hands for the Whig candidate?—Yes, there is no doubt of it.

898. You have mentioned the name of Mr. Bostow, the chairman of your city committee; in what station of life is he?—I believe he is a magistrate for the North, but I think for the West Riding too, and one of the visiting magistrates of the Castle; he is a person of very large property.

899. He had the misfortune to be educated and called to the bar?—Yes.

900. In addition to the persons paid at the county election by Messrs. Walker and Duncombe, am I right in understanding that money was advanced by you or from your bank; was that money advanced in small change and silver, which the parties seeking to pay them were in want of?—Yes, it was made; there is no memorandum in that book; it was put down as silver.

901. A cheque was given for that amount?—Yes, for that and other purposes, for 340 *l.*

902. So, for that purpose it was changing a large note into silver?—Yes; but I advanced different monies.

903. You took an interest in the county election?—Yes.

904. You have property in the North Riding?—Yes.

905. The band has been touched upon; was it not very much the same band at the county as the city election; I suppose it was the Blue band at York to celebrate their festivities?—No doubt of it.

906. You told us, too, that Mr. Lowther, on this petition being presented, wrote down to you to inquire whether those payments had been made?—He did.

907. Did he express surprise at the intelligence?—He did; he wrote from the House of Commons; his expression was, "I know not anything about it, whether it is true or false."

908. He wrote on the petition being presented?—Immediately on his retiring from the House, as I learn from this letter.

909. By Mr. *Hill.*]—Have you got that letter?—No.

910. You as treasurer expressed equal surprise?—I did; I said I know nothing of the payment; I had made no such payment on his account.

911. By Mr. *Wrangham.*]—Are you aware if the payment was made for the election for Mr. Lowther or his connexion through any person but yourself?—No.

912. Have you made other payments not immediately connected with the election?—At different times, for Mr. Lowther.

913. Do you act as the general money agent then at York for Mr. Lowther?—To a certain extent; sometimes the monies are in my hands, and sometimes out.

914. Mr. Walsingham mentioned he was a gentleman of property in the Riding?—Yes; and one of the ex-sheriffs.

915. And a great bookseller in York?—Yes.

916. He has retired, has he?—Yes.

917. Does he take an interest in the county election?—He never interferes with the city; he never comes near the committee-room, and never was in it that I know of.

918. Do you believe, speaking to the best of your knowledge and belief, as a person engaged in a confidential way in the election of Mr. Lowther, that in 1832 or 1835, any promise was held out to the voters in that interest that they should receive the running money if they voted for Mr. Lowther?—I never held

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held out such a promise myself, and I have no knowledge of such a promise being held out by any of his committee.

919. Then, as to the best of your knowledge and belief, do you believe that this promise was held out by any party authorized on his behalf?—I believe not.

920. My friend has asked you about some remuneration you received from Mr. Lowther for your services at his election; what was the present Mr. Lowther made you?—A couple of wine-coolers. Mr. Lowther was staying at my house very frequently, and at the time of the election spent the principal part of his time there.

921. I believe you received a present of plate from the banking house there?—Yes.

922. You did not take it as a remuneration or service, but as an acknowledgment of what service you had been able to render them?—Certainly.

923. In all you have been telling the Committee of the payments made in the way of this running money, or whatever it has been called, you are speaking not from your own knowledge, but from the rumours generally prevalent in the town?—Yes.

924. Those are the rumours by which you learnt that Mr. Dundas had 1*l.* or 2*l.* paid to his voters at the last election; you learnt that from rumour?—I learnt it from the individuals who paid it.

925. Do you think it so great as to induce parties to petition the House against corrupt practices, two petitions having been presented against the corrupt practices in York; do you know the persons who signed the petition?—A great many of them.

926. Do you think those rumours of the payments made on Mr. Dundas's side reached those petitioners?—There is no doubt of it; no doubt every alderman knew of the fact as well as possible.

927. On the part of Mr. Dundas?—Yes.

928. Of what fact?—The payment of the money by Mr. Dundas.

929. The rumours of the fact?—The rumours of the fact.

930. Do you think they know by the same rumour, that promises were made in 1832 by Mr. Petre?—I have heard different gentlemen who signed that petition speak of it; some who have signed it were extremely active in 1832.

931. When you stated about the running money, I understood it was 5*s.* a day; do you consider that as an extravagant payment for a five or 10 days' work, under the circumstances of an election?—I think it not at all an extravagant payment. In 1832 I did conceive that, from the contumely and abuse our men had to go through, they were rather ill paid than otherwise.

932. In 1835 would you consider it a payment much out of the way?—It is not considered so.

933. Were the split votes those that received running money?—For four days; it was understood they were only in for four days.

934. Those persons were employed as runners by each party to whom they gave their vote?—I have no doubt of it.

935. You have no doubt that there was the same practice in the other party?—Yes.

936. So they might be employed by the two parties as long as the plumpers?—Yes.

937. So that they received remuneration from each, instead of all from one?—Yes.

938. Are there any charges from the petitioners against the Orange party?—I could instance two or three aldermen who signed that petition when it was brought to them; they never read it, but being told it was against bribery and corruption, therefore they signed it; they had no idea it would involve either party.

939. They were not aware of the allegations?—Yes.

940. By the *Committee.*]—You think certain individuals signed that petition, thinking it a petition against corruption generally, not on one side more than another?—Not in reference to the town, but generally: an enactment for shortening the time of the election; that was the object, I learn from the parties.

941. You would have been glad to have signed a petition of that kind yourself?—I should.

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942. Is that from your general impression of the extent of bribery and corruption in the city of York?—It is my opinion that the shortening of the election is better for all parties.

943. You say you would have been ready to have signed such a petition, and you were understood to say that the parties signed it believing it to be against bribery and corruption and so on. Bribery in elections was not the same reason that would have induced you to sign it?—No.

944. By Mr. *Wrangham.*]—But supposing it was a general petition against bribery and corruption, not in York particularly, you would have had no objection to sign it?—No.

945. You will be glad to see bribery and corruption put down at York, if it existed there?—Yes.

946. In your judgment, seeing a good deal naturally of in-door and out-door work at these elections, did drunkenness prevail more at the election in 1835 than at the previous election in 1832?—It is my firm opinion; I am certain if every deputy-sheriff were called, he would say there never was less of it at any election than in 1835.

947. By the *Committee.*]—Was any part of the sum that was paid for public-house expenses incurred in payment for drink given to voters, or was it exclusively for refreshments to those who took an active part in the business?—That was as I understood. I believe that 20*l.*, and the other money, would cover our bills on that head.

948. You mean that you do not believe any drink was given away to voters that would come to 20*l.*?—That is my opinion, on the polling days.

949. You think the allegation in the petition, that liquor was freely distributed, is not true?—I think it is false.

950. Can you point out any allegation in the petition you believe to be true?—I think it was a very uncalled-for and shameful petition.

951. Did charges in that petition fill you with surprise?—Yes, and the whole town with astonishment.

952. By the *Committee.*]—You have been asked whether you would not be ready to sign a petition to put down bribery and corruption in York, if it existed. Are the Committee to understand that you believe there has been no bribery and corruption in York?—It depends on what a person means by that term; there may be a little. I never bought a vote in my life; I never gave a man a shilling for a vote; therefore I know nothing of it. That it may in a large constituency of 3,000 voters, that there may be some liable to a bribe, that I cannot deny; but I believe, generally speaking, it is as little corrupt now as any other town.

953. Do you generally attend in the committee-room?—No, always on the canvass.

954. Did not the witness throw out an accusation of the Orange party having been guilty of bribery?—They called it messengers' running money.

955. Did they pay persons in the same proportion of 3 *l.* for a plumper, and 1 *l.* for a single vote?—They paid 1 *l.* for a few double votes; they paid 1 *l.*, as I understood.

956. There is no difference in the payment for the same service?—No; they paid 2 *l.* for plumpers.

957. What you call corruption in one party, you excuse in your own?—I said the other party have paid their messengers; I did not at all dream it was corruption, for it was for service done; I stated distinctly that it was for service done.

957*. Suppose all these rumours to be false that we have heard, and that there was no running money paid, do you believe the result of the election would have been different from what it was?—I do not.

Examined by the Committee.

958. Do you think the statement to be true, that liquors at the last election were furnished at the expense of John Henry Lowther, to his voters and supporters, to such a profuse extent, that more disgraceful scenes in the streets of York were then witnessed than for during 10 years past?—I totally disbelieve it. There is an instance I might bring before the Committee again, of the current readily believed report in the town, that the bill at the George Inn was 2,350*l.*, and that Mr. Lowther had left the house in consequence. I was met

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by the father of one of the under-sheriffs, who expressed himself surprised; I was met by Alderman Cooper, who was lord mayor last year; and I was met by several others: those two I perfectly recollect. It was currently believed by many people that such was the fact; and the real bill was 135 *l.*

959. By Mr. *Wrangham.*]—And your other remarks are in comparison with that standard?—Yes.

960. By the *Committee.*]—Was a public breakfast given to the committee, agents and voters, on the morning of the nomination?—A breakfast was given. An invitation was sent out to attend Mr. Lowther's nomination; that was an invitation by the committee to two or three country gentlemen. They came in; and it was said afterwards by some of us in conversation, there should be a breakfast. I said I would give a breakfast. I went down and ordered breakfast, and paid for it myself.

961. Was that open to every voter?—No; 200 were at breakfast, and the committee consisted of 300.

962. By Mr. *Wrangham.*]—Those were of the higher classes?—Quite. No notice was sent; they were not invited; but they were merely requested to attend gentlemen who promised us votes.

963. To have immediate attendance on Mr. Lowther?—Yes.

964. When they came a breakfast was set on the table, which you ordered and paid for?—Yes.

965. Do you think that breakfast influenced any voter?—It was quite inconceivable that it should.

966. Were you ever repaid that sum?—No.

967. Do you expect to be paid?—No. I also gave a lunch to the committee.

968. Have you any knowledge on the point; supposing none of the freemen voted at all at the last election, are you able to say who would have had the majority, and come to Parliament?—No doubt the majority of the 10 *l.* householders, of 60 to 70, would have been in favour of the Conservative candidate.

969. Is it in your judgment that Mr. Lowther would have been equally at the head of the poll, whether there was a single vote or not?—Yes.

970. Are the 10 *l.* householders freemen?—A mixed class; a great number of freemen, 10 *l.* householders, voted: but my friend went over from the commissioners' rate-book, and took the rack-rent; and I believe there is no doubt there would have been a majority of 60 or 70.

971. If you take even a higher class of householders, do you believe, from your experience, the bulk of the higher and wealthier class of the householders of York to be in favour of the Blue or the Orange?—No doubt in favour of the Blue; and would be more so but for the corporation influence.

972. With reference to the time when this resolution was passed in 1832, to pay the messengers the 3 *l.* and the 1 *l.*, was that at a meeting of the committee?—It was.

973. How many were present with closed doors?—About 200.

974. Could any one person have walked into the room?—Yes.

975. It was done openly?—Yes.

Veneris, 7° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *George Hudson,* recalled; and further Examined by Mr. *Hill,* as follows:

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976. ARE you aware whether, after the election in 1832, Mr. Lowther constantly declared that he would not stand again as long as Mr. Bayntun was there?—Yes.

977. Was that the settled understanding of the party who supported Mr. Lowther?—Mr. Lowther, I believe, abstained from making any mention of it to any person but myself; but it was taunted and thrown upon us by the opposition papers that he no longer pledged himself not to come again.

978. Do

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978. Do you know that that was his intention, that he did not mean to come?—Yes; and the reason why we went on with the contest in 1832 was, the idea was that Mr. Bayntun would not come; and afterwards we got to a certain point when we could not as honourable men retreat; we got too far pledged.

979. Did that intention continue down to the period of Mr. Bayntun's death?—Yes, to the best of my belief.

980. This was private between you and Mr. Lowther?—Quite private, confidential; but I had no instruction that it was confidential. I thought it private; it was mentioned among two or three of his confidential friends.

981. You have spoken of the election of 1833; was Mr. Lowther put up by his own consent in 1833?—He was not.

982. Was he put up by those of his party in 1833, who generally took the lead in the elections?—No, certainly not; by two freemen in the hall; two of the labouring class.

983. Two of the persons who had had the 3*l.*?—I am not aware of that.

984. What are their names?—I cannot tell you; I do not remember. I have forgot the names of the two. I have never spoken to them since. I believe one was Thomas Hardcastle, and the other John Cornelius Morson.

985. Was the name of Mr. Lowther put up by those persons to make a contest?—I am not aware at all.

986. Have you any doubt of it?—I have very great doubt of it; they might make a contest as the natural consequence.

987. There would have been no contest without?—No; it was not my intention. I was very much opposed to it.

988. Were the other leading parties very much opposed?—I believe they were.

989. You told us nothing was paid by Mr. Lowther in respect of this?—Not a shilling.

990. You told us yesterday that you had received a letter from Mr. Lowther respecting what we have called the sovereign letters?—Yes, I did.

991. When did you receive that letter?—Immediately after it was written in the House of Commons, after the petition was presented, dated half-past six or seven; about that hour.

992. Was that the first petition?—It might be the one presented by Mr. Aglionby, signed by 63 persons.

(It is suggested a petition was presented on the 30th of June.)

993. It was about that time, or early in July, you received this letter?—Yes.

994. Early in the last month?—Yes; it would be immediately after the letter was written, as he retired from the House.

995. Was that the first communication you had with Mr. Lowther on the subject?—Yes.

996. Have you brought the letter this morning?—No.

997. Allow me to ask this question; did you apply in 1832 to the civil authorities for special constables?—I did.

998. Did they swear in special constables?—A certain number, I believe; I had a long altercation with the magistrates to obtain them. I am not quite certain what they did; but this I am certain: they stated they would do nothing for my protection till I swore that my life and my property were in danger. I stated that it was very hard to suppose that I was to have another attack on my house. I stated in evidence before them that one attack had been made, and I was placed in the most imminent danger; and Mr. Lowther was constantly attacked in the street, and his party attacked in the most shameful manner; they would not give me assistance till I swore I expected another attack; to get that protection I did take upon myself to swear it, though it was stretching the point too far, for I did not think they were likely to attack me again.

999. Was that at the election of 1832?—Yes.

1000. What part of it?—Certainly it would be two or three days before the nomination day.

1001. Then, on your making oath, the constables were sworn in?—No; I do not know that. I said I laid it on them to provide me with their protection; if they did not do that I should hold them responsible for it, as far as the laws of the country supported me in it.

 1002. Did

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1002. Did you ask them to swear in any, and what number of special constables?—No; I said, I have told you the situation I am in, it is your duty to find me protection.

1003. In 1835 did you apply for special constables?—Certainly not.

1004. You were kind enough to produce the account of expenditure of 1835?—Which you took and kept.

1005. Could you give it; they were both furnished from memory?—Yes; but my memory is pretty correct; that was 1,050 *l.*; there was 176 *l.* for the corporation freedom, which it is usual to pay for a candidate to be excused from office. The publicans' bill was about 300 *l.*, including the George Inn. Mr. Lowther had been there for six weeks. The band 121 *l.*; but I believe my cheques are here; they would help me very much. I believe the band was 121 *l.*; professional gentlemen 400 *l.*; a great deal was expended in preparing the lists, and attending to different things.

1006. The first was 1,050 *l.*; then there was 176 *l.* for the freedom; 300 *l.* for the publicans' bills; 121 *l.* for the band; and 400 *l.* for professional gentlemen?—The sheriff's bill was 146 *l.*; 145 *l.* or 146 *l.*

1007. Is that the next item to the legal expenses?—Yes; there was 20 *l.* or 30 *l.* for the repair of the committee-room; there were three or four new windows; at last we gave up repairing them, and we plastered them up with paper; they were so constantly broke night after night. I believe we had to pay 80 *l.* for the use of the committee-room; we had a private committee-room. There would be the banners.

1008. What did you put them down at?—I do not think a great deal was expended that year in banners.

1009. You have got 2,303 *l.*; now you have to get another 1,000 *l.*?—Printing, that was enormous; we were not allowed even to speak; for if we attempted, there were sure to be a party come to oppose us.

1010. You spoke through the printing press?—Yes; that was 350 *l.* the least penny; we had one bill of 190 *l.*

1011. That makes about 2,600 *l.*?—Yes. There would be nearly 200 *l.* for hackney coaches. The banners would be nearly 100 *l.* and the colourmen; and there would be at least 50 *l.* given away again in charities; and there would be from 200 *l.* to 250 *l.* which would be paid for things not connected with the election, which extended itself to the last election. I paid monies on account in different ways for Mr. Lowther; subscriptions to the concert, extending from November 1832 up to the time of the present election. I paid little things; I should think about 200 *l.* and about 100 *l.* in the distribution of coals, in 1833 or 1834.

1012. Besides the 250 *l.*?—No; about 200 *l.* I should think would be the other.

1013. You have stated 250 *l.* was the subsequent expense; do you include in that the coals?—Perhaps 250 *l.* is too much; perhaps it is 300 *l.* altogether.

1014. You have got the 2,903 *l.*; can you recollect anything more; can you give any other item?—£. 100. at least the coals were.

1015. Were they given to the freemen?—To the widows of freemen as well as freemen.

1016. This therefore extends throughout the whole interval between 1834 and 1835?—Yes; not exactly that; but there are other trifles; if a person wanted him to subscribe to the blind asylum, I would pay 20 *l.* for him.

1017. Can you recollect anything more?—I do not recollect anything more; I paid nothing that I am aware that I paid wrong.

1018. To the Blue freemen and the freemen's widows?—Yes; to the Blue freemen and the freemen's widows.

1019. Have you kept no accounts at all of those matters that have occurred between the two elections?—No, I have no account at all; I settled up the account; the first account of the election expenditure, which I think was about 2,900 *l.* and odd; and every year when Mr. Lowther was coming I gave him a little account. I think I owed him 19 *l.* 19 *s.* to his credit on that.

Cross-examined by Mr. Wrangham.

1020. You have told us the freedom was 176 *l.*?—Yes.

1021. What was that? give us a more particular account of what it was?—The corporation always charges a candidate 176 *l.* for his freedom; and any candidate

candidate offering for the city is expected to pay that, or they do not let him have his freedom. I believe there are a great many perquisites go out of it to the town clerk and the lady mayoress.

1022. Is it thought to be an advantage to a candidate to be admitted to his freedom as to his prospect of success; that it is more likely when he is able to address them as his brother freemen than if he is not so?—It was a great consideration with us; on that subject we took opinions; the opinions varied whether we were bound to take it; we acted at last on the policy of the thing.

1023. Was there a notion that it was necessary as a qualification or as part of the qualification of the member?—The opinions were conflicting.

1024. That notion was abroad?—Yes.

1025. The corporation will not admit a member to his freedom unless he pays 176*l.*?—No.

1026. Is that the usual fee on admission?—The usual fee is 30*l.*; I am not a freeman.

1027. Are you aware what this 146*l.* extra, which the corporation receives, what it is charged as?—I had the pleasure of telling them that it gives them a dinner.

1028. What is the pretext on which they charge the 146*l.* more?—That they are exempt from all offices, as sheriff and alderman, and so forth.

1029. Every thing but a member of parliament?—Yes, that is the reason assigned.

1030. You have given an account of the publicans' bills, and band, and so on; you said something about six weeks?—Our canvass extended six weeks, and that was all that was spent, either by Mr. Lowther living in the town for the six weeks, and by his committee, in any way connected with the election. I think the amount was 309*l.*, exactly. It is singular I should be correct in these things, but I am so from habit.

1031. That would be 30*l.* a week?—Yes.

Examined by the Committee.

1032. You told the Committee of a riotous mob yesterday, in which a gentleman of the name of Leman was very conspicuous?—Yes.

1033. Is he employed as the agent by the petitioners?—Yes; he is in the room now.

1034. The same gentleman you described?—Yes.

1035. Was the riot in 1832?—Yes.

1036. Was that the occasion when you applied to the magistrates for protection?—Yes.

1037. Do you consider that that was withheld from you?—I do not conceive they rendered me that protection which they were bound to have done, knowing the attack was made on me; they showed a want of willingness to act.

1038. Was any life lost?—No.

1039. Was property destroyed?—My windows were all broken, and there were serious inconveniences to my wife, who was very nervous, when there was a mob attacking the house at ten o'clock at night. I believe the magistrates looked so seriously on it, they did request Mr. Petre, one of the candidates, not to continue addressing the people in the night, but he refused to comply (though the magistrates wished him), and went on.

1040. Does the witness know who paid for the damage done to the committee-room in Stonegate when it was broken?—I believe Mr. Anderson, another of the agents on this petition, was in the committee-room of Mr. Lowther; it was held at Stonegate.

1041*. Was that the time when you say Mr. Leman was taking the lead?—Yes.

1041. In what respect? has he paid for the damage?—The bill was sent in to him, and he paid it.

1042. Was it paid under legal adjudication?—I am not aware of that.

1043. Was Mr. Anderson an agent?—Yes, of Mr. Petre's.

1044. Do you consider Mr. Anderson paid it on Mr. Petre's account?—I do.

1045. Were the windows of any other of the houses destroyed at the time, or any other damage done?—At the different committee-rooms at the George Inn;

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Inn; the windows of our committee-room were literally broke to atoms night after night.

1046. Do you know if the other parties who received injury obtained any reparation or compensation?—I do not know; we paid for our own accommodation for the room; we did not apply to them.

1047. You say this sum paid by the candidate beyond the ordinary sum required for the freedom, was received in consideration of having an exemption from certain offices?—Yes.

1048. Is it a legal exemption?—No, I believe it is only a compliment, as Mr. Lowther was named for an alderman the other day; he was merely named to get in their own candidate.

1049. Had any members of the corporation signed the petition before the Committee?—A great many the second, and some the first.

1050. Had those body-guardsmen been appointed before the riot?—In 1835 there were less messengers and body-guards; it was conducted in a different way; the body-guards were to be handsomely paid for the four days.

1051. Were they engaged before the riot began?—Some part of them would be.

1052. Did they take part in defending, in protecting the persons who were engaged?—I am not aware; I believe the greater part of them did.

1053. You do not know they did?—Yes; I was at one committee-room; they acted very well with me there.

1054. Do you mean the Committee to infer that they actually rendered that service in the protection of your party which you described to have been the object of their engagement?—No, I do not think they used that effectual resistance, for it was impossible to resist them; nothing could exceed the excitement of the town.

1055. They were in attendance to afford that relief?—Yes, they did their best; the court was covered with slaver from the women; we were obliged to steal out of the court.

1056. You thought it necessary to have such a body of men?—Yes.

1057. You appointed some of them before the rioting took place; were you aware of the previous disposition to riot on the part of your opponents?—There was a very strong feeling against us, under an idea that Mr. Bayntun was ill-used; the old Blue freemen stuck generally by Mr. Bayntun with an impression that he was shamefully treated by our party.

1058. The necessity of these body-guards arose out of the riotous proceedings in the town?—Yes.

1059. As far as the petitioners or agents were themselves riotous or incited to riot, they created the necessity for this employment?—No doubt of it, by their excitement.

1060. By Mr. *Wrangham*, through the *Committee*.]—Can the witness say whether the necessity for employing men of this kind was felt to be so great, that they were obliged to send to the neighbouring villages to get persons who had no connection with the voters?—We paid upwards of 100 *l.* on that account, for men we got from the neighbouring villages, not freemen, for our protection. We were obliged to leave the hustings on the nomination day by stealth; the sheriffs rendered us all the protection they could, but there was no possibility of protecting us.

1061. By the *Committee*.]—Were any of the persons engaged in 1835 as messengers and body-guardsmen 10 *l.* householders, or were they all freemen?—I should think there would be some 10 *l.* householders.

1062. You do not know the fact?—No, I do not know the parties.

1063. They were generally the poorer class?—Yes.

1064. As to the messengers, you said no limit was placed as to the number employed?—Not in 1832.

1065. If the application had been beyond a certain number there would have been something to bring it to you?—It would have been the subject of conversation, but the number was so limited, that from the protection we got we could not do more; we should not have gone to the poll if we had not unfortunately pledged ourselves, and we could not retire.

1066. You speak of 1832?—Yes.

1067. Can you tell the Committee if any of the professional men among whom

whom the sums you have described were distributed voted at the election?—I should think they would.

1068. How many?—I really do not know; I should think 20, perhaps. You see this 400 *l.* extends itself to the payment of looking after the registering, appearing before the barristers, and so forth; all those proceedings were paid out of that 400 *l.*

1069. Were those accounts strictly investigated as in ordinary cases of legal proceedings, or were they paid as they were sent in?—They were charged in the usual charge for professional men, three guineas a day; that was paid; and then the clerk to go round with the canvass, a guinea a day.

1070. Does it seem more inconsistent that a man who receives 5 *s.* a day for his employment should then give his vote for a candidate, than that a professional man, who receives three guineas, should vote for him?—I am quite of that opinion; it is the same thing; I have stated it many times.

1071. Were many messengers or body-guardsmen engaged, actually employed?—I really cannot tell that; I was not a party; I was merely nominal in the business, handing over the money; it was not part of my department to see that they were employed.

1072. You saw many employed who were not freemen?—Yes.

1073. Would they employ those persons if great numbers of the other messengers were unemployed?—I believe those freemen, those non-voters, got on without having the excitement in them; we thought they would be a great deal more protection to us; we were anxious to have a speech on the nomination-day, and could not get one, neither Mr. Lowther, myself, nor any other person; we took pains, and went to expense to get one; we were anxious to stand fair and right with them. I believe I had the pleasure of seconding Mr. Lowther; I attempted to say a word, but I could not.

1074. Do you mean to state as a fact that some of the petitioners here, whose names stand as the agents for promoting the petition, that they did actually promote the riot in 1832?—I have no doubt that Mr. Leman did; I have been asked to give my belief, I give it here again, as I see evidence will be produced.

1075. You do not say as a fact the petitioners did?—I believe Mr. Leman was in the riot, and very active in the riot at a public-house.

1076. Did you see him?—No.

1077. Have you seen the signatures to the petitions?—I have.

1078. Therefore the parties who signed the petitions are known to you?—Nearly the whole of them.

1079. You said several of the members of the corporation signed the petition?—They have.

1080. By Mr. *Hill*, through the *Committee*.]—Will the witness say if the signatures to the petition are not most respectable?—The first petition I should say was not so generally; decidedly not.

1081. The signatures to the first petition you do not think so respectable?—No, decidedly not. I understand that that petition, the first petition, was refused to be signed by many; the second was taken round, and taken to Mr. Dundas's party; and, among others, Mr. Sheriff Meek told them they had not clean hands, and they were as bad as they were charging us to be; and Mr. Jonathan Grey, a respectable solicitor, a very highly respectable man, wrote a note to the originator of the second petition, stating it was a most unfair and partial statement.

1082. You think one party was as bad as the other?—Yes.

1083. And both of them corrupt?—No; I said it depended upon what was corruption; I charged them with having messengers. As to the second petition, I have no hesitation in saying the persons who have signed it are highly respectable; there are five or six aldermen's names to it, they are respectable, but they are violent partisans, and violently opposed to Mr. Lowther, and a great many of them have been taking leading parts in elections up to the present time.

1084. Have any of the persons who signed that second petition expressed their regret?—They have.

1085. Which of them?—The town-clerk expressed his regret; he was extremely sorry; it was merely brought to him as a petition generally against bribery and corruption; and he had no idea of its leading to proceedings like these.

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1086. Did he express his regret on account of the procedings to which the petition had led, or on account of the petition conveying an improper impression?—The understanding was, that he wished for some general enactment against what they had complained of, and that he was very sorry signing that petition had led to the present proceedings; and Mr. Alderman Cooper has expressed the same to me; and the Father of the city has done the same.

1087. What these persons stated was, not that there was no necessity, they stated that practices did prevail which there was a necessity for some general enactment to put an end to?—Their great point was having two days polling, that was the great point of their petition.

1088. Is that mentioned in the petition?—Yes.

1089. They wanted a general enactment against bribery, and not a specific one against the city of York?—Yes, they did.

1090. The following words are stated: "Your petitioners believe that to such an extent has the practice of bribery existed in York, that the representation may be said to be offered to the highest bidder:" did those persons express regret at having signed a petition containing that affirmation, on the score of that affirmation being in itself incorrect?—No, I did not go into the details of the petition; it was merely a general sort of expression; Mr. Cooper and myself are joint colleagues in the bank.

1091. The petition goes on to state, in confirmation of that opinion, that a gentleman much connected with the city, and highly esteemed, who had for several times represented it in Parliament ——; did you understand that gentleman to be Mr. Thomas Dundas?—Yes.

1092. It goes on to say, that he declined to become a candidate, on the ground that as an honest man he could not hope for success; was it known to the petitioners, at the time they signed this petition, that the brother of that gentleman did stand in his place?—Yes, it must have been known to every one of them; no doubt of it; the fact is, Mr. Dundas sent in his resignation; and he intimated to his influential friends that his brother would come forward. That was the general belief; it was so given out by the influential men of his party.

1093. Did those gentlemen who spoke to you, and signed the petition, vote for Dundas?—All of them; and they managed Lord Dundas's and the Orange elections up to 1831.

1094. It appears that Mr. Dundas was fully impressed with the great extent to which bribery prevailed in the city of York?—I do not know that.

1095. Does the witness know whether those two persons who have expressed to him their regret in having signed the petition, did at the same time state to him that they had been misinformed, or had cause to disbelieve any of the affirmations contained in the petition?—We did not go into that; they were merely general sort of observations; they were extremely sorry for the proceeding.

[The Witness withdrew.

Mr. *Robert Barnes*, called in; and Examined by the Agent, Mr. *Anderson*, as follows:

Mr. *Robert Barnes.*

1096. ARE you manager of the York City and County Bank?—Yes.

1097. In 1832 an account, I believe, was kept by Mr. Lowther as to his election expenses at your bank?—An account was kept with Mr. Lowther.

1098. Was that kept in Mr. Lowther's name, or Sir John Lowther's?—In Mr. Lowther's name.

1099. What year was that?—In 1832.

1100. Will you state who had authority to draw cheques on that account?—Mr. Hudson drew cheques, Mr. George Hudson, the gentleman who has just retired.

1101. Any one else?—No one but Mr. Hudson; I believe some of them on some occasions were drawn by Mr. Lunn.

[*The Witness produced several cheques.*]

1102. By Mr. *Wrangham.*]—As manager of the Bank, do you not make a declaration, that you will keep all matters secret that come to your knowledge in transactions of the Bank?—Yes, that is so. Mr. Hudson tells me that he has

admitted the fact of being treasurer to Mr. Lowther's committee; therefore I am merely repeating what he has stated. Mr. *Robert Barnes.* 7 August 1835.

1103. By the *Agent.*]—What sum was drawn out on the election account of 1832; the sum total, in the manner you have mentioned?—I believe about 300*l.*

1104. Did Mr. Lowther keep an account at the election in 1835?—Not with the bank; not with our bank.

1105. Have you ever on former occasions kept banking accounts relating to election transactions?—Prior to when?

1106. At any time?—No.

1107. In the account in 1832, the whole is very carefully kept, and cheques to a very considerable number have passed?—Yes; but are you speaking to Mr. Lowther's account?

1108. I want to know the ordinary practice in an election account kept at the bank, as to keeping those accounts; whether you have ever kept any other election accounts or not?—An account was kept for Mr. Bayntun's election.

1109. In that account did you take cheques, and keep a regular account, in the same manner in which you appear to have kept the account in 1832?—Precisely so.

1110. Therefore you would think it a very extraordinary thing if no account was kept of an election account?—I am not able to say anything about it.

1111. Have you so many election accounts in your books as to have a general rule for them?—No; they are dealt with as any other account is; there is no special rule for that.

1112. In your general practice?—No; they are dealt with as any other accounts are.

1113. You did not keep the account in 1835?—No.

1114. By Mr. *Wrangham.*]—Those are only a bundle of cheques?—No, nothing more.

1115. Whether for an election account, or any other, you would not pay money except upon a cheque?—No.

1116. These accounts are not kept differently from any other?—No.

[The Witness withdrew.

Mr. *John Clifford*, called in; and Examined, by the *Agent*, as follows:

1117. YOU are principal clerk in the Post-office at York, I believe?—Yes. Mr. *John Clifford.*

[*The post-office receipts called for, and produced by the clerk of the Committee.*]

1118. In April last, Mr. Clifford, were a great number of letters put into the York post-office appearing to contain coin?—There were.

1119. By the *Committee.*]—Can you state the dates when the greater number were put in?—I believe about the 15th or 16th of April, the first.

1120. By the *Agent.*]—Now, were these letters put into the box in the ordinary manner, or delivered in at the window of the office?—They were put into the receiving letter box, as all letters are that are unpaid.

1121. Was the number very great?—Quite an unusual number.

1122. By the *Committee.*—Were they directed for persons residing in the city of York?—Generally so; and some in the neighbourhood.

1123. By the *Agent.*]—You have stated the number was an extraordinary one?—It was.

1124. I believe, by the practice of the office, when letters are put in containing money or coin, you take a receipt?—That is the practice.

1125. By the *Committee.*]—When the letters are delivered?—No, when they are put in for delivery; in delivering them we take receipts.

1126. By the *Agent.*]—I believe you receive printed forms from the Office in London of such receipts?—We do.

1127. And that, according to your instructions, one receipt should be taken for each separate letter?—We are desired to take receipts for all letters containing coin passing through the office.

1128. By the *Committee.*]—Is it the practice that you should take one separate receipt for each separate letter?—It is, provided we have time to do so.

1129. Was the number of letters received on that occasion so numerous, that the

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the forms of the office were not numerous enough to take them in that way?—Quite so.

1130. By the *Agent.*]—What course did you pursue?—We were taken by surprise; in that case we adopted the plan of ruling the usual receipts with columns, and putting down the address of each letter on the receipt, leaving a column for the signature, not having a sufficient number of separate sheets to adopt the usual practice.

1131. By the *Committee.*]—The party giving you the receipt signs his name, and, by the new rule, he signed his name on a general piece of paper with a number of individuals names?—Yes.

1132. Then no printed forms were given out?—Yes, the usual forms; but another method was adopted, not having a sufficient number.

1133. The printed forms were made use of as far as they went?—Yes.

1134. Will you look at that; is that the manner that the receipts were taken in consequence of your want of forms?—[*A paper handed to the witness.*]—It is.

1135. Whose signature is that at the bottom of that paper?—It is James Briggs, the head letter-carrier.

1136. Were all the receipts signed by the letter-carriers who had delivered the letters?—They were delivered jointly by the letter-carriers, and signed by both.

1137. Then two were present at the delivery?—I mean that a part of these might be delivered by the letter-carrier, another part by the clerk.

1138. Therefore that each carrier concerned in the delivery of the names on that paper signed his name?—Yes.

1139. Did the letter-carriers bring any of these letters back, as from persons the residence of whom they could not discover?—They brought some back for that reason, and another reason also.

1140. What?—Because the parties were not at home.

1141. Am I to understand you, that except the parties were at home the letters were not delivered?—Not in all cases.

1142. What number of letters were returned in consequence to the post-office, the parties not being at home, or their residence not being known; what number, proportionably with the entire number, of the letters were returned?—Collectively, I should think full one-third.

1143. You have looked over the whole of those receipts?—I have seen them before.

1144. Are these the documents you have referred to, the receipts?—The handwriting of all the letter-carriers and clerks is on each.

1145. You have seen them before in the office?—I have.

1146. You believe them to be the originals?—I have no doubt of it.

1147. From your knowledge of York, can you state whether the great proportion of the persons to whom these letters were directed were persons in a very humble sphere of life?—Speaking generally, I suppose they were.

1148. Some of the forms you have produced were signed by one letter-carrier alone?—Yes; and in that case he delivered the whole himself, signed by the party receiving the letter, and confirmed by the letter-carrier himself, another person assisting him in doing so.

1149. In the case where it was signed by Briggs alone, he would deliver the whole of those?—He would, with the signature to them; but you see some have blanks.

1150. When they are signed by only one letter-carrier, he has delivered the whole himself?—Yes, he has.

1151. What became of those letters so returned to the office?—The usual hour of delivery is seven o'clock in the morning for the delivery of letters, and in consequence of this extraordinary number of letters the delivery was retarded at least two hours.

1152. Though I believe you employed extra carriers?—No.

1153. Did you employ no extra carriers on that occasion?—No, none that I am aware of; I authorized none.

1154. Was it usual for two carriers to go together at York, except on that occasion?—Only one; it is unknown to me if more than one went.

1155. Did not two carriers go together on that occasion to assist in delivering these letters?—Not to my knowledge.

1156. The usual hour for calling for a letter directed to a person not at home was what, 12?—Between 11 and 12.

1157. What

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1157. What was the hour in consequence of this extraordinary delivery?—After 12 o'clock.

1158. In consequence of some of the parties not being at home, was it the duty of the party to whom the letter was directed to call at the post-office, or not?—Yes.

1159. The hour of 12 was the time at which, according to the usual routine of office, a person so situated should call for his letter?—Yes, between 11 and 12.

1160. What was the hour at which they were allowed to call, the parties mentioned in these receipts, in consequence of the extraordinary delivery alluded to?—After 12 o'clock.

1161. Now, did any parties call?—A great number called.

1162. Now, what did these parties ask for?—I was present part of the time of their calling; to the best of my recollection, they asked for Mr. Lowther's letters; that is the only conversation I heard.

1163. Well, what did you do upon that?—I did nothing; it was not my duty to attend.

1164. Did any one else do anything in your presence?—Yes; two clerks alternately attended at the window in delivering these letters.

1165. What were the names of those two clerks?—George Whitwell and George Whitehead.

1166. Did those two clerks take the receipts of such persons as called at the office in the same manner as receipts were taken by the letter-carriers?—In the same manner, I believe.

1167. Now, were all the letters delivered in that way, or did any of them remain undelivered?—They were all delivered, no doubt.

1168. Plenty of applications were made for them; was it not so?—There were several applications.

1169. From persons to whom there were none?—Several persons applied for letters for whom there were none.

1170. Did not any of those persons complain that Mr. Lowther had not left money for them?—There was only one instance I ever heard.

1171. State that.—I do not know the person's name; but a person applied for a letter from Mr. Lowther; he said, he thought it was very hard there was not one for him, having given him a plumper.

1172. Were the applications very numerous at the office these two days you have mentioned?—During the time I was there several persons were applying; during the time I was in the office I saw a great number of persons applying.

1173. The office window was occasionally crowded by several persons standing and making the same inquiry?—Yes; at least 20, sometimes.

1174. Did you hear the name of Mr. Lowther mentioned when that number of persons were standing together at the office window?—I only heard one instance of that gentleman's name being mentioned.

1175. You mean the one you have alluded to?—Yes.

1176. Have you counted the number of the receipts that are produced?—I believe I did some time ago.

1177. Will you tell us the number?—To the best of my recollection, there were between 640 and 650.

1178. How many clerks have come up to town with you from the post-office? One clerk and myself, and two letter-carriers; four in all.

1179. Could Mr. Ofield, the postmaster, have dispensed with any more till you returned?—I am afraid not, without injury to the public business.

Cross-examined by Mr. Wrangham.

1180. Pray can you tell me what the practice is when a letter-carrier takes a money-letter and does not find the party at home, does he leave any notice that a letter of that kind has been brought there?—If the letter is directed to a person's house and he is not at home, he brings it back to the office.

1181. Suppose the rest of the family were at home, the letter would not be left?—He would leave the cover and bring the letter back to the office; he would leave the cover or desire him to call at the office.

1182. How could he leave the cover without the letter?—The letter with money is enclosed in an envelope.

1183. He would leave a notice that a letter of that kind had been brought there, and that it was brought back to the office?—Yes.

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1184. When the party returned home he would learn that a money-letter had been brought there for him?—Yes.

1185. If a notice of that kind was left at your private residence, you would make application for the money-letter, would you not?—Yes.

1186. So that when a great many happened to be left, there would be nothing extraordinary in having a great number of persons coming to apply?—A great many were left.

1187. When a great many, as in this case, were taken when the parties to whom they were directed were not at home, but notice was left at the house that such a letter was in the post-office for them, was it extraordinary that a great number of persons should apply for them at 12?—It was, on account of the great number of persons.

1188. There was nothing surprising in there being so many applications?—It was the only instance I know of.

1189. Is it not natural, and would you not have done it?—For one letter or two, but not for so large a number as on this ocasion.

1190. If a large number of notices were left, it is natural there would be an application for a large number of letters; is it not natural that there should be a large number of applications?—The notice was verbal; a large number applied.

1191. You say Whitwell and Whitehead, two clerks, attended at the window to deliver them on those applications; had they been employed in delivering them before?—No.

1192. So that when their signatures appear on the face of those receipts, it means that they delivered the letters, which their signature is to verify, at the office window?—Yes.

1193. Then in every case where a letter was delivered at the office window, the signature of one of the clerks will be found to the receipt in which that letter is mentioned?—I do not understand that.

1194. Wherever a letter—[*taking one of those from the list,*]—wherever a letter, for instance the one delivered to John Dent, was called for at the office window, it would be delivered by a clerk?—With the exception of those occasions, he would be assisted by the letter-carrier.

1195. The clerk would deliver it?—Yes.

1196. Would the clerk's signature appear to the sheet where John Dent's name appears to the receipt?—Yes.

1197. When no clerk's signature appears to any of those receipts, none of the letters mentioned in that sheet were delivered at the window?—They were delivered by the letter-carriers themselves, at the residence of the parties, or otherwise, if they were otherwise directed, according to the direction for delivering them.

1198. Have you looked at the receipts, so that you could tell me to how many the signature of any clerk appears?—Not minutely.

1199. Where there is only the letter-carrier's signature, all the letters mentioned in that receipt were delivered according to the addresses?—They were.

1200. I find only two that have any clerk's signature to them?—I am aware of that.

1201. There would be only the letters in those two pages delivered at the window; there could not have been more delivered at the window?—Such as were not applied for in the course of that afternoon, would go out again in the evening delivery, and would be most likely delivered.

1202. In point of fact, it is only part of the names on those two pages that were really delivered at the window; would they all be delivered at the window, or would some of them not?—The whole of those with signatures to them, they would be delivered at the window.

1203. There is no signature of the letter-carrier?—No, because they were delivered by the clerks.

1204. There is one signed by the clerk, but also by the letter-carrier. I suppose some were delivered, according to the addresses, by the letter-carrier, and the others by the clerks?—It appears so; those were delivered by the letter-carriers, and others by the clerks.

1205. There are 19 names on one and 17 on the other, therefore there would not be above 40 delivered at the window in all?—I have not counted them; it is very likely.

1206. So that if there were 19 on one and 17 on the other, there would not be more

more than that number delivered at the window?—I suppose not; they took the receipts for every one, to the best of my knowledge.

1207. And some might be delivered according to the addresess from the signatures of the letter-carriers?—I should suppose very few.

1208. What becomes of those crowds of applicants, when certainly under 40, perhaps not more than 30, were delivered at the window?—I believe a great many applied for whom there were no letters.

1209. You said those letters appeared to contain coin?—I believe they did. I examined many of them myself.

1210. How do you mean?—By feeling something round and hard; a hard substance; I presumed it was coin.

1211. What that coin was you of course cannot tell?—No.

1212. By the *Committee.*]—You stated Mr. Lowther's name was mentioned by one individual at the window; what was said?—I happened to overhear a person (I do not know who it was) asking the clerk at the window if he had one of Mr. Lowther's letters at the window.

1213. It was only one man who asked for Mr. Lowther's letters?—I heard no more myself.

1214. Those men for whom you had letters applied for them in their own names, at whose houses they had called before, and the parties not being at home, when they applied for those letters, they probably applied for them in their own names?—I understood they did; I was not at the window.

1215. You were not present during the whole time these applications were made?—No, I was ill; I was very short in my attendance at the office.

Re-examined by the Agent.

1216. Will you look at those two letters—[*two letters handed*]; are those two letters that passed at that time through the post-office?—I cannot say.

1217. Is there any private mark of the post-office upon them?—There is the York stamp.

1218. Is it the York stamp?—I have no doubt of it.

1219. You observe one has a direction in the corner, to be left at a particular place?—It has so.

1220. Will you read that direction?—"If not found, to be left at Mr. Carr's, Micklegate."

1221. Did you examine any of the other letters, so as to enable you to state if a similar mark was made on any of those letters?—I did not; the object was to ascertain if they contained coin or not.

1222. Did you examine all the letters to ascertain whether they did contain coin?—I examined the greater part of them.

1223. Did you mark them with the letter "C"?—I marked a few, and directed a clerk to do so with the remainder.

1224. Is the letter "C" a private mark of the office, to indicate that each letter contained coin?—That is not my "C."

1225. Look at the other, do you find "C" there?—It is not there.

1226. It has the York stamp on it?—I cannot say, it is so imperfect; there is nothing except two rings.

1227. Is there not a mark on the back, a figure of "1"?—I cannot see.

1228. There is the figure of "1" across; does not that designate the amount of postage?—We mark all our letters with a "1" for one penny postage; I cannot say that it is from our office.

1229. You cannot say if it is your mark?—No, it is not mine; I never mark any other.

1230. Whose duty is it?—It is the duty of a person of the name of Reynoldson.

1231. What is his name?—Thomas Reynoldson.

1232. Of that you have no doubt whatever?—I have no doubt that is the York stamp; there are two stamps, they are both York.

1233. Is there not the date visible now on the outside?—The date stamp is the 15th; the 15th of April; I should suppose that would be the day following, for this reason, we stamp letters put in during the night with two stamps.

1234. That letter had been put in on the evening before?—It would be put in on the evening of the 15th.

1235. And delivered on the 16th?—Yes, on the following morning.

 1236. By

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1236. By the *Committee.*]—Had you the means of ascertaining if the letters contained gold or silver?—Not at all; only from knowing it was a hard substance. I supposed them to contain hard coin of some sort.

Cross-examined by Mr. Wrangham.

1237. As to that letter, directed John Martin, coal merchant, Copper-gate yard, you have no means of saying if it passed through the office?—It is so torn, and the stamp is so imperfect, it is impossible to say; there is nothing in this part to show.

1238. This one has the York mark on it?—The two York stamps, April 15th; the other is imperfect; but being a black stamp, it must be the following day.

1239. Is there anything in that stamp that enables you to know in what year that letter passed through the post-office?—The red stamp has not the date of the year, and the other has it imperfectly, "35"; the "18" is not very visible.

1240. Can you say that is your impression?—I have no doubt of it; it is pretty clear the "35."

1241. Do you know who gave a receipt for that?—I will look at the direction again, perhaps I may be able to form some opinion; my opinion is that in this case, if Robert Dixon could not be found, it was to be left as directed to "Carr's," who would give a receipt.

1242. Do you know, in point of fact, who gave the receipt?—No, I do not. I have not examined the receipts for that purpose.

1243. You cannot tell in whose possession this letter came?—No.

1244. By the *Committee.*]—You mentioned in one part of your examination, many persons called at the window after 12 o'clock for the letters, and you were understood to say that many of them asked for Lowther's letters; was that correct, or was it one person?—I only heard one person ask for Mr. Lowther's letters.

1245. Is that letter that was just shown to you included in the lists that have been handed in?—I do not know.

1246. By the *Agent.*]—Would you look at that post-mark again [*handing Dixon's letter*]; does it not appear to have been stamped twice; once with red, and again with black?—I perceive a red stamp on the letter, which I did not observe before.

1247. Can you state whether it was the York post-office stamp or not?—The stamp is so imperfect, I cannot say.

1248. Do you observe the letters "Y" "O"?—The "Y" is so imperfect, I cannot say what it is.

1249. Do you observe the letter "O" with "Y" before it?—The "Y" is not perfect; I believe that be "O"; the "O" is pretty perfect, but the "Y" is not.

1250. Are you able, by remarking both stamps, to say if it is the post-office stamp of York or not?—The stamp is so imperfect that I cannot say.

1251. By the *Committee.*]—Will you look at the third name in that list, and read it to the Committee?—"Robert Dixon, Bishop's-hill."

1252. What follows?—The signature, "Robert Dixon."

1253. Does that signature of "Robert Dixon" intimate that the letter was delivered to the Robert Dixon to whom it was addressed?—I should really think it does.

1254. By whom was that list made out?—By a clerk of the name of John Scaif.

1255. Do you think in making out that list he would insert Robert Dixon, of Bishop's-hill, as the address intimated on that letter?—I should think not.

1256. Which bears the address of Trinity-lane, and says not one word about Bishop's-hill?—It purports to be the address. I should have copied it otherwise.

1257. Does that discrepancy raise any doubt in your mind as to whether this letter is the identical letter to which the signature of Robert Dixon is there stated?—Certainly I should think so, because it is not the address stated on the letter.

1258. Will you turn to the list in which the other letter is specified?—(*No answer.*)

1259. Is Bishop's-hill the name of a street, or part of the town?—Part of the town.

1260. Is Bishop-street in Trinity-lane?—They adjoin.

1261. By Mr. *Wrangham.*]—If it were part of "YO," might it not be Mayo as well as York?—If it were Mayo, in Ireland, it would be a different mark.

1262. You

1262. You have no knowledge that that came through the post-office at York at all?—No.

1263. Might it not have come out of the post-office at Mayo?—It is not very likely, having that 1 *d.* on it.

1264. There is no evidence that you know it came to those people, except in somebody's pocket; might it not be put in the post-office at Mayo?—I should think not.

1265. Why?—Because then it would have to be stamped, and it would be returned to the writer.

1266. The object is to ascertain where it has been?—I cannot say; had it been put into the penny-post of Mayo it would have borne the postage from Mayo to York.

Examined by the Committee.

1267. Will you take that letter in your hand? Does it not rather seem to you on looking on that imperfect stamp, which seems to look like the letters "YO," to contain the "O" tolerably perfect, and the "Y" more imperfect; but on looking at that letter does it not appear there is immediately before that imperfect resemblance of the "Y" a red line, which would rather indicate that the letter "Y" was the first letter of the word there marked?—I think so, for there is not room for another between.

1268. You think, on looking at that important red mark, that that letter which seems to be a "Y" was the first letter of a word intended to be indicated?—Yes.

1269. You say, if it had been put into the office at Mayo, it would have had a different postage?—Yes, 1$\frac{6}{}$ *d.* more.

1270. Being sent to York, it would have been sent from the office at Mayo to York?—No doubt.

1271. Suppose a letter were addressed wrongly to some person, would the person who took the receipt enter the address where he found the person, or as the letter was addressed? Suppose a man lived in Trinity-lane, and a letter was addressed to him at Bishopgate, would he, in giving him the receipt, enter him living at Trinity-lane or Bishopgate?—First according to the address of the letter, afterwards according to where he finds him, which is not the case here.

1272. Was that the person who usually took those letters? Supposing that to be one of the letters delivered on the day referred to, was he the person who usually delivered them and took the receipt?—He would deliver them in the evening; Briggs.

1273. Was he the person in the habit of taking them?—It is the constant usage.

1274. At what time was this list made out; was it made out in the morning before the carriers went out to deliver those letters, or made out at any other period?—We were so hurried in consequence of the extraordinary arrival of letters, we were obliged to put them down as we could; in some cases they were put down in a list, in others they were put down on a blank sheet as they went round.

1275. Some of the carriers went out with a blank sheet, and who entered the name at the time and place they delivered the letters?—Some did. Those who had time to do it in the office did so; others put them down at the time they delivered them.

1276. Are you able to state whether this particular list, in which is Robert Dixon, Bishop's-hill, is made out before the carrier who delivered the letters contained in it left the office?—I cannot speak to that.

1277. But it might have been made out during the time a carrier was going round with the letters contained in it?—Probably it might.

1278. Therefore it is probable that the name of Robert Dixon, Bishop's-hill, might have been written in this list by the carrier at the house of Robert Dixon, while he was delivering the letter, and while he was taking his signature?—He ought not to have done so.

1279. Suppose that Bishop's-hill and Trinity-lane are close adjoining, and he knew that Robert Dixon, instead of living at Trinity-lane, lived at Bishop's-hill, it is probable that he might have gone to the house of Robert Dixon, Bishop's-hill, and in that house entered this name, and took the signature of Robert Dixon?—Provided that he knew there was no Robert Dixon in Trinity-lane, he might leave it at Bishop's-hill.

1280. Suppose Robert Dixon's shop was in Trinity-lane, and his house on Bishop's-

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Bishop's-hill, he might give the receipt at the place he delivered the letter?—That is possible; I am not aware if it is the case.

1281. In point of fact, you are not able to state whether this list was made out in the office, or whether the names were put down as the carriers went out, and each name was entered in the house where the letter was delivered?—I am not. Some made it in the office; others in going round. There is a person of the name of Briggs who delivered it.

1282. Tell me how many printed letters composing the word "York" you can discover on the back of that letter?—Only one.

1283. What letter is that?—The letter "O."

1284. Are you quite clearly decided that you find the letter "O" on that?—Not very perfect, but sufficiently perfect to enable me to believe it an "O."

1285. The "Y" you do not discover?—It is very imperfect.

1286. Are you decided if it is a "Y;" or if that letter was put into your hands without previous opinion, and came through your post-office, would you say it is sufficiently distinct for you to know it to be a "Y"?—No.

1287. What is the postage on it?—One penny.

1288. If it came from any other office than York, would that have been the charge?—Probably more.

1289. Then it has passed through a post-office?—I cannot say that, on account of the indistinctness of the stamps.

1290. You stated before that you heard one instance of a person applying for these letters, saying, he was applying for Mr. Lowther's letters?—"I want a letter from Mr. Lowther."

1291. Did you hear him say he wanted one of Mr. Lowther's letters?—I believe, to my recollection, "Mr. Lowther's letter," or "a letter left from Mr. Lowther."

1292. Did he say anything else in your hearing?—Yes: "I gave him a plumper; it is a very hard case I cannot have one."

1293. Did he say anything else?—I do not recollect at present.

1294. Did you make any remark on his saying that?—Not a syllable. I overheard the person applying speak to the clerk.

1295. Did you think that a remarkable observation of his?—No; it passed without any remark whatever.

1296. Did any of the applicants mention what sum of money was contained in the letters?—I do not recollect. They said nothing to me on the subject; it was not my duty to attend the window.

1297. Did that person ask for a letter, by the name of Mr. Lowther's letter he of course told his name to the office; did you hear his name?—No.

1298. He must have mentioned his name?—Of course he would to the clerk.

1299. You have no reason to know if he was a voter, and gave a plumper?—No.

1300. Did he not say he gave a plumper?—He did. He said he gave Mr. Lowther a plumper, and it was a hard case he could not have one.

1301. What he was, or whether he was a voter or not, you have no means of knowing?—No.

1302. By Mr. *Wrangham.*]—You do not know if he gave a plumper the other way?—No.

1303. By Mr. *Hill.*]—Supposing a letter to be addressed by mistake to Robert Dixon, of Bishop's-hill, and he lived in Trinity-lane, and it was found by the letter where he lived in Trinity-lane, would it not be delivered to him as a matter of course?—I should think it would.

1304. Supposing him satisfied of the person?—Yes; provided there is no other person of the name of Dixon in Trinity-lane.

1305. Would he deliver a man a letter so directed to a person in the other street?—Yes, if in his opinion he believed it right.

1306. Do Trinity-lane and Bishop's-hill join in a straight line?—Yes, there is a little curve.

1307. One is a continuation of the other?—Yes, one leads to the other.

1308. Does not a street intersect the two?—I am not acquainted with that part of the city; I cannot say.

1309. You do not know if one of the streets is wider than the other?—They are very narrow streets in the city.

[The Witness withdrew.

James Briggs, called in; and Examined, by *Mr. Hill*, as follows;

1310. ARE you a letter-carrier in the post-office York?—Yes.

1311. Do you remember the letters being delivered out from the office on the 16th of April?—Yes, certainly.

1312. Were there a good many letters that day?—Yes.

1313. Did you deliver many of them?—Yes, a great part of them.

1314. What district do you deliver in?—Muckle-gate.

1315. Does that include Bishop's-hill and Trinity-lane?—Yes.

1316. As you delivered the letters, did you take an account of the letters?—Yes.

1317. [*Handing a paper*]—Is that your account?—Yes.

1318. Did you write the names of the persons to whom the letters were to be delivered, or was this list given to you?—I wrote the names.

1319. Where did you write them?—At the residence of the parties where I went to.

1320. When you were to deliver a money-letter, you put down the name on this list, did you?—Yes.

1321. What did the person who received the letter do?—He had to sign his name.

1322. Are those entries of the names in your hand-writing, and are the entries under the column "Signatures," in the hand-writing of the persons to whom you delivered the letters?—Yes, I believe in general cases they are; there are some instances where they are not.

1323. The name and the residence is written by them, but in some instances where the parties cannot write, the name is written for them, but by their instruction?—Yes; in the general way the parties themselves sign it; in instances where the parties could not write, a daughter or wife would sign for them, but there are few instances of that kind; where that was the case I took the receipt in that manner, they were satisfied with respect to it. This sheet is for our own safety, to show our having delivered the letters safe.

1324. You were satisfied that the person writing the name had the authority of the person receiving the letter?—Quite so.

1325. Do you know a person of the name of Robert Dixon?—Yes.

1326. Where does he live?—There is a person of the name of Dixon lives in Bishop's-hill; I cannot fully remember whether his name is Robert or John.

1327. [*Handing a letter to the witness.*]—Is that the letter you delivered to him?—Yes, I believe that to be the letter.

1328. Now this is directed to Trinity-lane; how came you to deliver it to a man living at Bishop's-hill?—He has removed his residence; it is the same, just adjoining the Trinity-lane; part of Trinity-lane is in Bishop's-hill parish.

1329. Did you ascertain it was the same man the letter was directed for?—Yes.

1330. How did you know it?—There was no other person to answer the name.

1331. Are you satisfied in your own mind that Mr. Robert Dixon, cabinet-maker, Trinity-lane, meant Mr. Robert Dixon, cabinet-maker, Bishop's-hill?—Yes.

1332. And you delivered it to the cabinet-maker?—Yes.

1333. Did he receive the letter and sign the paper?—Yes; he cannot write himself, some one was there, a friend, to write it for him.

1334. Was he there?—Yes, I gave it to him himself.

1335. Did he ask some one to sign it for him?—Yes, he asked some one. I do not think it was in his house I gave it to him.

1336. The letter says, to be left at Mr. Carr's, Micklegate; did you go to this place?—No, I found him out. I have known him some years.

1337. And by his request some one signed your paper?—Yes.

1338. Who signed it?—I cannot say who it was signed it.

1339. It was in his presence, was it?—Yes.

1340. Are the names contained in this paper, the names of the persons to whom you delivered on one day?—Yes, I believe they are; there are two papers, one is for one day, and another for another.

1341. This, dated April 22d, was that your second delivery?—Allow me to see the other sheets.

1342. There are two dated April the 16th, did you deliver those two on the first day?—The one of them has been dated wrongly the 16th; the one was on Thursday, the other on Friday. I delivered the letters.

 1343. Afterwards

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1343. Afterwards, on the 22d?—Yes.

1344. Did you ever have such a job before as to deliver all these money-letters in one day, or in two days?—No.

1345. Did any one open them in your presence?—Some few; only a few.

1346. Could you tell by feeling the letter that there was money in it?—We supposed as such; likewise we know the mark upon the letter; we have a "C" in red ink; that is the way we write it; a cash letter.

1347. "C" for "Coin," or "Cash"?—Yes.

1348. In those few that were opened, what did you see?—What I should consider to be sovereigns; I did not take hold of them.

1349. What did the people call them?—They called them sovereigns; they sounded as if they were such.

1350. How many in each letter?—Some contained two, and some only one.

1351. When the people opened them did anything occur; what did the people say?—They seemed to say as though it was for the voting-money.

1352. Do you remember anybody in particular?—I cannot call to mind any person in particular. I had no idea of any inquiry being made.

1353. Did you learn, from what took place at the time you delivered those parcels, what sort of a vote the person had given who got this; what sort of a vote the person gave who got the 1 *l.*; from conversation did you learn what sort of a vote the person gave when he got 2 *l.*, and what sort of a vote the person who got 1 *l.*?—From what I understood of the parties, those who received two sovereigns had given a plumper, and those who had one sovereign had given a single vote, as far as I understand it.

1354. What did they call them; what name did they give to this money?—I cannot say that they gave it any particular name.

1355. Did they call it some name?—The voting-money.

1356. Did you ever hear such a phrase as the Lowther sovereigns?—Yes.

1357. Did those people, when they opened the letters, and saw what was in them, call them the Lowther sovereigns?—I cannot say positively they did; but they expected it came from Mr. Lowther.

1358. Did they say so?—Yes.

1359. When you went home you delivered these papers into the post-office to the clerk?—I took these and filed them myself; we consider them for our own safety.

1360. To whom did you give them?—We have a file.

1361. To whom did you give them?—Mr. Clifford, the head clerk, would take them from the file.

1362. Well now, on the 22d, did you take off the letters on the 22d, which was some days afterwards?—About a week afterwards.

1363. Did the people seem to know more about the matter than they did at first?—Yes.

1364. Did any of the freemen inquire for letters from you?—Yes.

1365. What did they say to you?—They asked if we had any letters for them; the names I cannot recollect. They said they had voted for Mr. Lowther, and had not received anything, and had I anything for them.

1366. Did any of the persons who inquired for letters receive them; had you got any for them?—No; several inquired of me if I had letters; I never had any ever since.

1367. Did any person who did inquire of you, state they had voted for Mr. Lowther; did you find they had got letters?—In some cases I had.

1368. During this week that occurred between the first delivery and the second, were you frequently in the streets inquired of about it; did it make a great sensation in the city?—Yes, I was several times asked.

1369. Now let me direct your attention to the Kettlewells; do you know a family of the name of Kettlewell?—Yes.

1370. How many letters did you deliver to the Kettlewells, of Shelder's-gate?—Four.

1371. In one day?—Yes, to one house; to a father and three sons.

1372. When you delivered those four letters to the Messrs. Kettlewell, at Shelder's-gate, what did they say to the good luck that had come to their house?—They seemed highly gratified with it.

1373. What did they say, and how?—They said they had polled for Mr. Lowther, plumpers, each of them.

1374. They said so?—Yes.

1375. Did

1375. Did they say what they would do at the next election?—Not that I heard.

1376. Did they give him a good character?—I cannot recollect what passed at the time; they were very well pleased with him at the time.

1377. Did they say so?—They appeared so, and signed the receipt very cheerfully, and I came away.

1378. You say they said they had voted a plumper; did you see them open the letters?—I saw one open only.

Cross-examined by Mr. Wrangham.

1379. They seemed quite pleased?—Yes.

1380. They seemed quite pleased and delighted, did they?—They were as pleased as any one else would be on receiving money.

1381. It was quite a windfall?—Yes.

1382. Did they seem surprised and pleased at their good luck?—I cannot tell what their feelings might be; they appeared perfectly satisfied with them.

1383. They seemed to take it as a very agreeable surprise?—They appeared so; they appeared to be thoroughly satisfied. I cannot say how they could feel themselves.

1384. As far as you could judge?—I should think they had no other reason but to be satisfied.

1385. You would not have objected to have had the same good luck befall you?—Perhaps so.

1386. And you would have signed the receipt as cheerfully as any of them?—Very possibly I should.

1387. People generally sign receipts for the payment of money very cheerfuly, do not they?—It is generally the case.

1388. You say you delivered this to Mr. Dixon, to Robert Dixon, this letter, not in his house?—I rather think it was not in his house; I know I gave it to him himself.

1389. Could you refresh your memory so far as to say where you delivered it?—I think I met him at the corner of the yard, coming out visiting, and went into another house, and there I gave it to him; I cannot swear, not positively; I can only say this positively, that I gave it to him myself.

1390. Can you be positive as to telling us where you wrote the addresses on the list of receipts?—I cannot.

1391. You are quite sure you wrote them as you went along—the addresses, not before you went out?—No, not before we went out.

1392. How long did you stay with Dixon?—I could not stay long; my business was to get along as fast as I could possibly do; I only got the receipt signed, and went away.

1393. Do you remember any conversation with him?—No, none at all.

1394. You say he did not write his own receipt?—He cannot write.

1395. Would it be allowed, when they could not write themselves, to get some one to write for them?—Yes; in some instances, where the witnesses could not write, I have written the receipt myself in their presence.

1396. Do you consider that a sufficient receipt in the hand-writing of the person delivering money?—These receipts are receipts for others and for ourselves, so that it is as a voucher to ourselves on delivering them, not as a voucher for others. We are answerable for the letters when we take them out.

1397. Do you mean the lists are not used at the post-office to show that the letter has been delivered?—It is kept at the post-office.

1398. You say it is a memorandum to satisfy yourself?—It is a memorandum to satisfy ourselves, and kept by us in case of a complaint that such letter was not received.

1399. Then why is the person who receives the letter to sign the receipt, if it is only a memorandum for yourselves?—It is to show that the party is satisfied.

1400. What do you mean; satisfy yourselves or the postmaster?—To satisfy us both.

1401. Partly to satisfy the postmaster and yourself both?—It satisfies us both, I should expect.

1402. You take it as a memorandum for yourself and as a voucher to the postmaster?—Yes.

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1403. [*Handing a paper.*]—Is that your writing?—I cannot say I am sure; I really am of opinion I signed that name for him; I really am of that opinion.

1404. I ask you again, if it is considered regular, or you consider it regular, that a person, when a receipt is to be used partly as a voucher to the postmaster that you have delivered a man a letter, that the party delivering it should be the party to sign the receipt?—If I did it, it would be before witnesses, and likewise by his particular desire; by Robert Dixon's particular desire.

1405. But I am asking you as to a voucher received at the post-office; I want you to explain how you came to sign a voucher which is to be a voucher for your own payment of money, and signed by you, purporting to be the signature of another person?—It was by his desire.

1406. Are there many others you signed the receipt for yourself?—I do not know.

1407. Just look at the whole row, there are some look as if signed by the same person; James Billingham, is that the same writing?—No, I do not recollect signing that.

1408. Do not you know your own hand-writing; do not you write letters as well as carry them?—Sometimes; it is very seldom I write letters.

1409. You would be able to tell us if that is your hand-writing or not?—I cannot swear that it is.

1410. Can you swear it is not?—I cannot swear to it.

1411. Can you say it is not, speaking to the best of your belief; being examined as a witness, can you say it is not written in your hand; can you say anything about it at all?—I cannot, to bring it to my mind.

1412. But bringing it to your eye, can you see if it is your writing?—I cannot positively say it is now.

1413. Have you any doubt it is your writing?—It very possibly may be.

1414. Have you any doubt about it, looking at the three lines?—If I wrote it, it would be in his presence; I perhaps might, when I look at it again.

1415. Can you say positively you did not write it, having looked at it?—Well, I believe it may be my writing.

1416. Have you any doubt of it?—There are one or two letters that seem different, one is "Billin," and the other is "en."

1417. Have you any doubt, looking at it, you wrote this as well as that?—I should almost imagine I had written it, when I look at it.

1418. Do you mean to say you are so ignorant you cannot tell?—Then I will say it is.

1419. Just cast your eye over some others in this column, there is one just above that, William Fenning, Wellington-row?—We were in a great hurry; we had to get through with the letters; we were very harassed.

1420. Is not that William Fenning written in your own hand-writing?—I believe they are both my hand-writing, and I should deliver them together; I believe I should take those two together when I was in Wellington-row; there were three or four I had altogether; they came together for the letters.

1421. What, they surrounded you?—I was greatly surrounded at times.

1422. There is "William Bundor," and "John Bradley," are those signatures in your writing?—I am certain sure they are not.

1423. Did you, in point of fact, sign a considerable number of those receipts?—No, very few.

1424. How many do you suppose?—I believe there is none other.

1425. Look at that John Nicholls?—That I did.

1426. That you signed?—Yes.

1427. Do you know if other of the letter-carriers did the same thing?—I do not know.

Re-examined by Mr. Hill.

1428. You say the people surrounded you; that they crowded about you demanding letters, did they?—Yes; sometimes I had four or five people round me.

1429. Had you ever had such a hard day's work delivering letters in your life?—No.

1430. Did you ever deliver one-tenth part as many money-letters in one day of your life?—No.

1431. Now on those you signed for them, was it always at their request and by their instructions?—Yes.

1432. Were they in general people of the lowest class of society?—Poor people.

1433. Many

1433. Many of whom could not write probably?—Yes, and wished me to do it for them.

1434. And you did so?—Yes; I believe that each of the parties are perfectly satisfied.

1435. By Mr. *Wrangham.*]—When the parties could not write, did they not make their marks, and the witness sign it?—Some did.

1436. What became of the letters where there is no signature?—There are some where there is no signature there, and the parties I did not see at all; and the letters were brought back to the post-office, and you will find papers at the post office that they have signed a receipt. I did not meet with them where there are those blanks.

1437. You made out the list when you delivered the letters?—When I had the paper I might copy the direction if it was a few doors off; this was after I went out of the office, there was not one copied in the office of mine.

Examined by the Committee.

1438. Should you be liable for the money contained in those letters, if you did not return a receipt to the post-office and had taken out a money-letter?—I should consider myself liable if there was any complaint, and I had taken one out and there was no account of it.

1439. If it was shown that you had written the receipt yourself, and any person claimed the money again, you would still have been liable?—I have no doubt I could produce witnesses.

1440. But you would be considered responsible by the post-office if there was any question afterwards?—If there was any question I should be called up about it.

1441. How could any one know what was inside if it was not delivered?—These receipts show the cash.

1442. You say those are poor people, in low situations of life?—Yes, all poor men; some received them that were not so very poor.

1443. Were they voters?—Yes, voters.

1444. All?—I believe all, for anything I know to the contrary.

1445. You do not happen to know if they were freemen or 10*l.* householders?—I have no reason for that.

1446. Did they express any particular surprise or astonishment at this?—Several individuals at first did express surprise, and could not tell the meaning of it.

1447. There were others who looked on it as a matter of course; were there others that did not express that surprise?—Yes; others did not express surprise at all at it.

1448. When you deliver a money-letter in the usual course of your avocation, you are required to take a receipt from the party to whom you deliver the letter, and that receipt you are required to deposit in the post-office?—Yes, to put it by on a file.

1449. As a satisfaction to the postmaster that you have delivered the letter containing the money?—Yes, it is a satisfaction to him, and likewise a satisfaction to myself, if a complaint arose on their not receiving it.

1450. Has the postmaster any other means of knowing but by that receipt that you have delivered the money-letter at all, and have not kept it in your possession?—That is the only way.

1451. That is the only way of knowing that a letter has been delivered, containing money, to the party to whom it was addressed?—Yes.

1452. You had a letter addressed to Robert Dixon, addressed Trinity-lane, and you delivered that letter to Robert Dixon, who lived in Bishop's-hill?—He lives in Bishop's-hill now, in a small yard.

1453. You did not deliver it to him in his own house?—I believe he was not in his own house; I think he was inside the lane, in one of the houses there, with some one else.

1454. You delivered it to a person not in the house of Robert Dixon?—He met me, and I gave it to him; it was very near to his own house.

1455. You signed his name?—Yes.

1456. And carried that book to the post-office as the receipt?—Yes; it was by his desire.

1457. You stated, in the early part of your examination, that you placed your own

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own signature when you received those letters, and that the party to whom they were delivered signed the list also?—Yes, when they are able to write.

1458. And in some instances, where the parties were not able to write their names, their names were signed for them by their instructions, by their wife or their daughter?—Yes, when they had them in their house.

1459. You said nothing before of your having signed those names of these parties for them?—I did not say anything then.

1460. You gave us to understand they were in all cases signed by the wife or daughter, by the advice of the party?—In a general way.

1461. When you signed those persons' names, did you communicate to the post-master when you returned, that some of the receipts you deposited with him were in your writing, and not in that of the party who received the letters?—No, I did not say anything as to any of the receipts, but signed my name to it, and put it by.

1462. You have written those names in such a manner that you scarcely knew your own hand-writing when presented to you in this room?—Yes, I know my writing.

1463. How came you to hesitate so frequently whether it was your hand-writing when it was shown to you?—I should hesitate on those; I do not consider that I was doing my duty exactly, in signing that for them at the time.

1464. You thought at the time you were not exactly doing your duty, only it was before witnesses, and they expressed their desire to have it signed; can you tell what witness were present when you signed the name of Robert Dixon?—I cannot tell; I think it was in Mrs. Lunn's, at the corner of Bishop's-hill.

1465. You do not know who was the witness to Dixon giving you instructions to sign his name?—No, I cannot remember the witnesses; I know there were others there at the time.

1466. How long have you been letter-carrier for the post-office?—About three years.

1467. Is the residence of Mrs. Lunn, whom you spoke of just now, quite close to Robert Dixon's house, or opposite?—Why perhaps 50 yards.

1468. Is that on Bishop's-hill, Mrs. Lunn's, or in Trinity-lane?—On Bishop's-hill, one part of her house; the other looks facing up Trinity-lane, and she has a door likewise that goes to Bishop's-gate; it is the corner house, Mrs. Lunn's; and I think it was her house that we went into. I believe we had a letter for Lunn.

1469. Your belief is, that you wrote the name of Robert Dixon in Mrs. Lunn's house?—Yes, I think so.

1470. Do you think Robert Dixon was in the house with you?—Yes, with me at the time; and I gave him the letter myself, that I am positive of; and if he was here, he would say the same.

1471. You have known Robert Dixon some years?—Yes: I had a letter for him when he lived in a yard at Micklegate, in Bishop's-gate parish.

1472. Has he always lived on Bishop's-hill, in his present abode?—Not in his present abode; he has only gone lately; his wife died lately. The yard was on Bishop's-hill parish, and after his wife died he removed to another situation.

1473. Is Bishop's-hill a parish, or what?—It is a parish; and there is Bishop's-hill Junior and Bishop's-hill Senior, as they call it. This yard he lived in before is Place's-yard; it lies in the parish known as Bishop's-hill Junior.

1474. Are you positive Robert Dixon cannot write?—Yes; at least he said he could not write.

1475. You recollect that he told you he could not write?—Yes.

1476. Did he ask you to sign his name on his behalf?—Yes; I have known him perfectly well. I never meet him but what he always speaks.

1477. Is there a single instance in which you signed a receipt, in which you were not informed first, that the parties could not write, and you signed for them; did you sign a receipt in any instance when you were not requested to do so?—No.

1478. And when you did not believe that the parties could not write them selves?—When they told me they could not write; I had only their word for it.

1479. You only signed it when they told you they could not write?—No.

1480. You have not signed any receipt in any other instance?—Not to my knowledge.

[The Witness withdrew

William Peters, called in; and Examined, by Mr. *Hill*, as follows:

1481. ARE you letter-carrier at the Post-office, York?—Yes.

1482. You remember a great many money-letters coming to your office?—Yes.

1483. Was this about the 16th of April last?—I am sure I cannot say.

1484. Are you a Blue?—I am not a freeman.

1485. Are you a Blue?—I cannot say particularly to a colour.

1486. Do you live in a 10*l.* house?—No, I am a lodger.

1487. Did you deliver yourself many of those money-letters?—Yes.

1488. In what district?—In Duber-gate, and part of Coney-street, and Stone-gate, and Prior-gate.

1489. That is your district?—We change at certain periods.

1490. That was your district in April last?—Yes, at that period.

1491. Did you deliver letters to those persons whose names are mentioned in those three papers?—Yes.

1492. On the days on which the papers bear date?—Yes.

1493. April the 16th is one, and one is without a date?—Here is the 16th of April in this margin.

1494. Then the 3d and the 16th on one, and on the 23d, is that so?—Yes; in that instance there would be some delivered by one of the collectors that are in the office, with his name at the bottom, signed by George Whitwell. The parties would deliver them; they would assist me.

1495. How came they to assist you?—When we took a letter to a house, if the party was not within we brought them to the office, and told them if they came at a certain period they would get them there.

1496. Did those collectors take them to persons' houses?—They might deliver them from the office window, whoever was in attendance.

1497. Those lists which are signed by yourself were all delivered by yourself?—They would be.

1498. Did you ever have so many money-letters to deliver in your life before?—No.

1499. How long have you been in the office?—Upwards of 20 years.

1500. Do you think in the whole 20 years you have delivered as many money-letters, and taken as many receipts as you did from this 16th of April to the 23d?—Yes, I should think I have; they are things that occur daily, money-letters; and we take a receipt for every money-letter that has cash in it. We have a cover and a receipt for every one; not a day passes but we have more or less.

1501. Were any of the letters opened in your presence?—Yes, in some instances.

1502. Did you see what they contained?—Yes, I have seen.

1503. What did they contain?—Two sovereigns.

1504. All of them?—It was not many that I did see opened.

1505. All that you saw opened, did each of the letters contain two sovereigns?—Of what I did see, it was not many.

1506. Did any conversation occur with the persons to whom you delivered the letter, between you and them?—Not at that time when I delivered them.

1507. Now of all this number of people, you know some of them, do you not, personally?—Yes.

1508. Have any of them had a talk to you about the letter?—No, I cannot charge my memory with anything in particular.

1509. Do you mean to say in all this great number of persons there have been none who have had conversation with you about these curious money-letters?—The principal thing that I have noticed, after the first day or two, people asked for letters, if I had any addressed to them, and so on; I said if there was one I would bring it to them, but I could not stop.

1510. What did they call the letters?—I do not recollect particularly.

1511. Try; did they give them no names?—They would perhaps say Blue letters; and I have told them if there was any thing for them I would bring it.

1512. Suppose they were asking for a Blue letter, how would they put it; would they say, "Have you got a Blue letter, or a Lowther letter for me?"—I should not anything to them.

1513. What do they say?—They would ask me if I had a letter addressed to them. I told them if there was one I would take it to them, but I could not stop, time would not allow me to hold any conversation, it would keep me back in getting the letters delivered.

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1514. Did they describe what sort of letters?—I did not stop with them.

1515. You said they talked of Blue letters, were the words "Blue letters" used?—They might.

1516. They might say yellow or green; you come to say what was, not what might be?—I never did hold any conversation with them, and I got on with my business as fast as I could, for it would not do for me to hold a conversation.

1517. Consider, you are speaking as if you were on your oath; tell me, did nobody come and tell you "I voted a plumper, it is very hard I had not a Lowther letter?"—No.

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PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

The *Agent* for the Petitioners was called in, and asked, in consequence of a summons having been served upon Sir John Lowther, whether he conceived the attendance of Sir John Lowther to be absolutely necessary.

The *Agent* stated certain facts arising out of Mr. Hudson's evidence, upon which he conceived Sir John Lowther's evidence would be necessary; and after some conversation,

The *Agent* was directed to withdraw.

John Henry Lowther, esquire, a Member of the House, being present, stated that Sir John Lowther was 77 years of age, and was in an infirm state of health, and that a journey to London would be attended with inconvenience and risk to him; after which he withdrew.

Mr. *Lowther* was called in, and informed that the Committee had come to the resolution that the attendance of Sir John Lowther be dispensed with, unless the Committee shall see fit to issue a fresh order for his attendance; and was further informed, that in case any fresh evidence should appear to render his attendance necessary, and his state of health were infirm, he might forward to the Committee a medical certificate.

The Counsel and Parties were called in.

The *Agent* for the Petitioners stated, that he believed the poll-book of the election for 1835 was put in.

Mr. *Wrangham* stated that he would not raise an argument upon the poll-books being authentic, but that he should not admit the poll-books as conclusive proof in any individual cases.

William Peters, again called in; and further Examined by Mr. *Anderson*, as follows:

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1518. DID many persons apply to you for letters, at the time of your delivering the letters which you have spoken of, when you had not them?—Yes; after we had begun to deliver them, and they got distributed about, we were asked for letters frequently.

1519. Who were the persons that asked you?—Persons of different descriptions that met us in the street.

1520. Were they persons that stated themselves to be Mr. Lowther's voters?—They did not say as to that particularly.

1521. Will you state how they described those letters when they asked you for them?—Some of them would say, "Have you got a letter for me of Mr. Lowther?" and another would say, "Have you got a letter with two sovereigns

reigns for me?" In different ways they would ask; in that way they would ask.

1522. Did you see any of those letters opened?—I did.

1523. What did those letters contain that you saw opened?—Two sovereigns.

1524. Had any of those letters any memorandum upon them that they should be left at a particular place, when the parties to whom they were directed could not be found?—They had.

1525. Do you recollect any particular place at which they were to be left?—I think in my district they were addressed, "To be left at Mr. Espinasse's, at the Minster-gates."

1526. He is a straw-bonnet maker?—He is.

1527. Do you recollect any other names?—I am sure I do not know whether there was any other in my district or not; I am alluding to my own district.

1528. By your "district," you mean that part of York in which you delivered the letters?—Yes, at that period.

1529. Did you see any of the other letters in other districts having a mark of that kind?—I should not have anything to do with them, they were going into the hands of the letter-carrier that went that district.

1530. Did your district extend into Goodrane-gate?—It did.

1531. Do you recollect seeing the name of John March upon any of those, or Mr. March?—I cannot say indeed whether I did or not.

1532. As to those that were marked with the name of Mr. Espinasse, had you occasion to take any of them to him?—Not one.

1533. Then you found the residence of all the parties?—Of all that I had.

1534. Did you take receipts of all the persons to whom those letters were directed?—Yes.

1535. Were the lists shown to you on Friday last?—Yes.

1536. Did you deliver all in that list to whom your name is attached?—Yes; there are one or two sheets to the best of my recollection that had other names besides mine, for this reason, that what we did not find at home, they came to the office to get them themselves.

1537. As to such as have the two names and who came to the office for them, have the goodness to state what took place?—The clerk that was in attendance would give them the letters that they asked for, and he would take the receipt from them himself.

1538. And therefore in cases where there are two names, one of the parties must have taken the receipt?—Yes.

1539. Did you meet with any persons who could not write their names?—I am sure I cannot say whether I did or not.

1540. Supposing that you had met with a person who could not write his name, what would be the course which you should pursue then?—I should have put the name, and got the party to make a cross in the centre of what I had written.

1541. Then upon looking at those lists which are signed by you, are you quite sure that the parties either signed those receipts themselves, or that you signed them for them by their authority?—Yes, they put their mark.

1542. Did they put their mark in all cases?—Yes.

1543. Are you quite sure that you wrote their names afterwards by their authority?—I wrote them in the first instance.

1544. In cases where a man could not write, if you wrote their names for them, are you quite sure that you did it by their authority?—Oh yes.

1545. Is that the usual practice at the office?—It is.

Cross-examined by Mr. Wrangham.

1546. Is it the usual practice of the office for one of the letter-carriers to sign the name of the other party without any mark at all?—No; I would not do that myself.

1547. You would hold that to be highly improper?—I would.

1548. The people seemed very much pleased, I suppose, with those letters?—Yes.

1549. And surprised?—They were a little surprised, and pleased as well.

1550. I dare say you would be a little surprised and pleased if you got a letter with money in it?—I should.

Examined by the Committee.

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1551. You said it would be highly improper for any man to write the name of another without his authority?—Yes, without his authority or permission.

1552. Mr. *Wrangham.*]—Suppose one of the letter-carriers had gone out with the lists, and having written the name and address of the person in the first column, should then write the name of the person as the signature to the receipt without any mark at all by the person receiving that letter; would that be right?—No; he should have the mark.

1553. *Committee.*]—Do you think it would be wrong if that person had requested the carrier to sign his name for him?—I think it would not be wrong, if the person came forward and said he authorised him to do it.

1554. Would you not think it right that the letter-carrier should have the cross and mark of the party?—I should myself; if I went to the person in that way, I should wish him to make a cross; I would not go without in my own case.

1555. It is about three or four months since these letters were delivered?—I cannot speak as to the date.

1556. Does your memory serve you to say how many of those letters you saw opened, so that you could be certain what they contained?—I did not see many, and it happened in this way: while I was writing the address of the party, perhaps the wife, or some one of the family, before the party got his name signed, would have the letter opened upon the table, or else I would not have stopped to see one opened, because my duty called upon me to get on as fast as I could.

1557. Are you quite sure that in some of the letters that were opened, you saw a sovereign or two sovereigns?—Quite sure.

1558. How many did you see?—I cannot say that I did see many; it was just in that way where the party was eager to open, to see what was come in them, before I went away.

1559. Could you speak positively as to having seen so many as half-a-dozen with money in them?—I cannot say, but I should think it is possible that I might, but I cannot speak positively.

1560. The other letters might, for anything you know to the contrary, after all have had no sovereign in them?—Oh dear! we should be aware that money was in them.

1561. How do you know that?—By the weight; two sovereigns in a sheet of paper were sure to tell.

1562. They were received as money-letters, were they not?—Yes.

1563. The people were surprised and pleased to receive those letters; did you make any observation of what they were for?—I do not remember; it is very possible that a little remark might be made while I was there, but I did not stop long, for we were sadly behindhand, do the best we could.

1564. Did they mention what it was for?—I should think it was for the election.

1565. What grounds have you for that supposition?—From the pleasure.

1566. That pleasure might have arisen from their receiving money without its being connected with the election; were they voters?—I cannot tell what they were, whether they were voters or not, without reference being made to my poll-book.

1567. After you had distributed a good many of those fortunate letters among the inhabitants of York, you would not be surprised yourself at hearing the inquiries made, whether you had any more letters for other people?—Not at all.

1568. Did you receive one?—No, I am not free.

1569. Were those inquiries made by people not connected with the election?—I could not tell from the persons' inquiry whether they were free or not.

1570. In whose hand-writing are those lists: this is a list to which your name is signed, is that your signature?—Yes.

1571. Who wrote it out?—I did; the list was blank in the first instance; I took it into my hand, and when the parties were present, I wrote their names and then they signed it; if they were not in we put them by, and they were to call for them themselves at dinner, or any time.

1572. You said just now, when you were asked whether you received a letter, you

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you did not, because you were not a freeman; did you give that answer from believing that none but freemen received those letters?—I did not exactly think what I was saying in that case, it might come inadvertently from me, but being upon the matter of the election, talking about it, it came uppermost; I would not say exactly in that way.

1573. Have you any opinion in your own mind upon that?—I am sure I do not know, one could not help thinking a little; but as to my thoughts, I should not communicate them to any one; but when one was going in this way, one could not help thinking.

1574. Will you tell the Committee what was your opinion upon that subject whether those letters were directed to the freemen or not?—I thought by the number, and coming all together at one period, there might be something in that way.

1575. Do the Committee understand you to say, that you believe they were directed to the freemen?—I could not be sure, because I did not know by the name whether they were freemen or whether they were not.

1576. Any opinion of your's was a very loose opinion upon the subject?—Quite; I did not think particularly about it.

1577. Have you any relations who are freemen in York?—Yes.

1578. A son, or a brother?—A brother.

1579. Did your brother receive one of those letters; was he among the parties to whom it was your duty to deliver a letter?—I cannot say whether he did or did not; his name is not among the addresses on those lists; whether he did or did not, I cannot say.

1580. Would it fall within your district?—Yes, I think he would.

1581. Your brother is a freeman?—Yes.

1582. And you do not know whether he received a sovereign or two sovereigns, or not?—No.

1583. Which way did he vote?—He voted for Mr. Lowther.

1584. His name does not appear upon any of those lists?—No.

1585. Of those names in that list, is not "William Peters" signed by you?—No; only the address and the residence.

1586. These names and addresses in the other column also relate to a different string of letters; who wrote that?—This must have been called for at the office; they must have been some of the clerks in the office writing this.

1587. It is not signed by either of the clerks, but only by William Peters?—No.

1588. Then you can give no explanation why there is no receipt to the name of F. Money?—No, I cannot.

1589. Nor of R. Ledger?—I cannot.

1590. Nor why, if some of those letters were delivered to the parties to whom they are addressed by other parties than yourself, the name of that person who did deliver them is not signed to the list as attesting the delivery?—It ought to have been.

1591. Do not you know that your brother received a parcel with two sovereigns in it?—I cannot say that I do know; indeed, he never said anything at all to me about it.

1592. You have no reason for believing that he did?—Not at all; he is quite a man, and what he got he perhaps would not think right to communicate to me.

1593. The fact is, that he did not communicate anything to you with regard to his receiving the two guineas in a letter or parcel?—No.

[The Witness withdrew.

Mr. *George Whitwell* was called in; and Examined by Mr. *Anderson*, as follows:

Mr G. Whitwell.

1594. YOU are one of the clerks in York Post-office?—Yes.

1595. Do you recollect a number of letters, containing cash, being put into that office in April last?—I do.

1596. Can you state the probable number?—Not exactly, but somewhere about 600.

1597. Were you employed in assisting to deliver part of them?—Yes; it was not my capacity, but I did.

 1598. Were

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1598. Were you so employed, in consequence of the number being more than usually great?—Yes.

1599. Whilst you were delivering them, did you see any of them opened?—I did.

1600. What did they contain?—The whole of what I saw opened contained two sovereigns.

1601. Did the parties receiving them state anything respecting the sovereigns?—They said that they had come from Mr. Lowther, part of them; part said that they were called Blue letters.

1602. Did many persons apply to you for whom you had no such letters?—They did.

1603. Will you state the manner in which they made that application?—They came to us, and asked us if we had any of Mr. Lowther's letters for them, or if we had any Blue letters for them; and when we told them no, in the case where there was none, they said they would go and see about them.

1604. Did they say as to whom they would go and see about them?—Some of them mentioned Mr. Hudson; they did not all do so.

1605. Was the number of persons that applied at the office for letters very great?—They were.

1606. Did any of those persons return and say that they had seen Mr. Hudson, and that he had said the letters were there?—

Mr. *Wrangham* objected to the question unless the parties were identified, and contended that a question ought first of all to be put, what persons held conversation with the Witness respecting those letters, to give opportunity of contradiction.

Mr. *Anderson* contended the question was admissible, as showing a case of general impression.

Mr. *Hill* then came into the room and defended the question, inasmuch as it gave Mr. Hudson an opportunity of contradiction if he had never made such a statement to any voter, and contended that the objection of Mr. Wrangham went rather to the credibility of the evidence than to its admissibility, and that the Committee was not bound by the strict rules of law.

Mr. *Wrangham* was heard in reply to contend that such evidence was doubly hearsay, and that it gave no opportunity of contradiction by means of the persons who the Witness might state had said this to him.

The Committee-room was cleared.

After some time the Counsel and Parties were again called in, and informed that the Committee had decided that the question should not to be put.

Mr. *George Whitwell* was again called in; and further Examined by Mr. *Hill*, as follows:

1607. Did any persons return?—Yes.

1608. Upon their return did they ask you for letters?—They asked me for letters.

1609. State to the Committee as nearly as you can what they said when they asked you for letters?—They said that they had seen Mr. Hudson, and that he said——

Mr. *Wrangham* objected.

The *Chairman* stated, that in as far as the Witness could state any conversation between a third person and Mr. Hudson, the objection of Mr. Wrangham would be sustained.

1610. Do you recollect the name of any person who came to ask for letters?—No, I do not.

1611. Tell us what those persons said, omitting any name that they may have mentioned?—If I understand you, do you mean what had been said to them, excepting mentioning the person's name by whom it was said?

1612. I am

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1612. I am supposing that a person comes to the window and inquires for a letter; I want to know all that they said upon that occasion, except the names that they then made use of?—They said they had been to some person, naming him, and that they had been told that there were some letters there for them.

1613. Did you find that they had been rightly informed?—No.

1614. Not in any instance?—No; those that were informed in the first instance before they went away that there were no letters for them, there were none for them when they returned.

1615. Mr. *Wrangham.*]—Then the person, whoever he was, who told them that there were letters for them there appears to have known nothing about it?—It appears that there were none.

1616. *Committee.*]—Can you state about how many persons this applied to of those who applied to you to know if there were letters for them, but whom you informed there were none, and who returned to you stating that they had seen this person?—I will not state positively; perhaps to the best of my knowledge half a score; I did not know the persons at all.

1617. Mr. *Hill.*]—After persons had been with you in the manner in which you have just represented, did letters of the description of which we have been speaking, come to the office for persons in York?—Yes; but I do not know that they were for the same parties; that I cannot speak to, because I did not know the parties myself.

1618. But after this conversation, letters of a similar descripton came for people in York, and were delivered to them?—Yes.

1619. Whether those persons were the same that made the inquiry at the post-office, you cannot say?—No.

1620. Mr. *Wrangham.*]—You say that you did not know those parties?—No.

1621. Did they not mention their names?—They did at the time.

1622. At that time the impression would be fresher upon your mind of the parties who applied?—No, not the least; it never makes any impression on our minds when parties call for letters.

1623. *Committee.*]—How long was it after those other letters arrived?—I cannot say, perhaps six or seven days; I cannot say the time; I took no notice of the time.

1624. What number do you suppose came on the second occasion?—I really do not know.

[The Witness withdrew.

Robert Dixon was called in; and Examined, as follows:

Robert Dixon.

1625. DO you live in Bishop's-hill, York?—Yes.

1626. Did you live in Trinity-lane?—Yes, I did.

The *Chairman* informed the Witness that he was not bound to answer any question which the Committee might consider would criminate himself.

1627. Did you live in Trinity-lane till lately?—I lived in Trinity-lane.

1628. Where did you live in April last, in Bishop's-hill or Trinity-lane?—I lived in Bishop's-hill.

1629. Did you receive a money-letter in April last?—Yes, I received a letter with two sovereigns in it.

1630. Can you read writing?—There was nothing in it.

1631. Can you read writing?—Yes, I could tell my name.

1632. Is that it?—[*showing the Witness a Paper.*]—There has been a great deal written on since then; there ought to be two marks, showing where it comes from.

1633. Is that the letter?—I cannot see my name.

1634. Put on your spectacles; is that your name?—That is my name.

1635. That is the letter, is it not?—I could not swear to it.

1636. Do you believe that it is?—Yes.

1637. What was the letter-carrier's name that gave it to you?—I do not know.

1638. Do you know the man?—He was here; I saw him here in London.

1639. Can you write?—Yes, I can write a little, but the letter-man wrote my name on it.

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1640. Did you ask him to do it?—No; he said he would.

1641. But he gave you the letter and the two sovereigns, did he?—He gave me the piece of paper, and I went home with it, and I had heard about it, and I opened it.

1642. What were you at the election?—Nothing; but I polled for Mr. Lowther.

1643. A plumper?—Yes.

1644. *Committee.*]—How old are you?—I was 83 this 22d day of March.

1645. Were you one of Mr. Lowther's body-guards?—No, I was not.

1646. Mr. *Hill.*]—Did you have your name set down at the election?—Yes, I did.

1647. Who set your name down?—He is here.

1648. What is his name?—The poll-clerk.

1649. Was it Leadley?—Yes.

1650. Where was it he set your name down?—At the George Inn.

1651. How long was that before the first polling day?—I do not know; three or four days, I suppose.

1652. What were you set down for?—For my vote like.

1653. When they set you down, what did they call you?—Robert Dixon.

1654. What were you to be; a messenger or what?—I was set down for nothing of that kind.

1655. You were set down for nothing but to give a vote?—That is all.

1656. Were you set down for a plumper?—I was not set down for a plumper, but I gave a plumper.

1657. Were you set down for any particular vote?—No, nothing at all.

1658. Only your name put down; he put down nothing but your name?—No, nothing else that I saw.

1659. Did you go to hold up your hand in the Castle-yard for the county?—I did.

1660. Who asked you to do that?—I do not recollect who it was.

1661. Was it Mr. Leadley?—No, it was not.

1662. Was it Mr. Smelt?—No, it was not.

1663. Who was it?—I do not know who it was.

1664. When were you asked?—I was asked before the polling-time.

1665. Before the polling-time in the county, or in the city?—Before the polling-time in the city.

1666. How much were you to have for holding up your hand?—Three shillings and sixpence.

1667. Who told you you were to have 3 *s.* 6 *d.*?—Nobody told me at first.

1668. Who paid you?—We went to get paid, and we got 3 *s.* 6 *d.*

1669. Where did you go to get paid?—At the George Inn.

1670. Who paid you?—Mr. Smelt, maybe.

1671. Who else was there belonging to the Blues besides Mr. Smelt, when you were paid?—He is at the door, I cannot remember him.

1672. Should you know his name if I were to mention it?—Yes.

1673. Is it Carr?—No, he is a journeyman joiner.

1674. Is it Archer?—He is at the door.

1675. Just step to the door and fetch him in?—[*The Witness went out of the room and returned.*]

1676. You cannot see him?—No; it was Thomas Archer.

1677. Mr. *Wrangham.*]—Who told you so?—The men at the door.

1678. Are they people from York?—Yes.

1679. They have told you what the man's name is?—Yes.

1680. Mr. *Hill.*]—What did you say to them?—I asked them whether they knew a person that lived at Bishop's-hill, a joiner, who was *throng* at the election.

1681. Mr. *Wrangham.*]—You are a joiner, living on Bishop's-hill?—I am a cabinet-maker, living there.

1682. Is the man out there himself?—No.

1683. Mr. *Hill.*]—Have you seen him there to-day?—Yes, I have.

1684. Have you told us who it was that asked you to go and hold up your hand at the Castle-yard?—I cannot say that I know the man, I am sure.

1685. Where were you when he asked you to go?—I was going to set my name down at the George.

1686. At

1686. At the city election?—Yes.

1687. Was it at the George that these men asked you?—Somewhere as I went, I cannot tell where it was; he said we were to go to the Gate, where names were setting down.

1688. Did the setting down your name to vote for Mr. Lowther also do for setting down your name for holding up your hand at the Castle-yard?—No, it did not.

1689. How did you know that you were to hold up your hand at the Castle-yard?—We were told so; heaps of men knew it.

1690. Were you told so at the George, when you set down your name to vote?—A man told me, but not at the George house, where we set down our names.

1691. Was it before or after?—It was before we polled for the city.

1692. Was it on the same day that you set your name down?—No, it was not.

1693. You do not understand me; was it the same day that you set down your name to vote, that you were told to go the Castle-yard to hold up your hand?—Yes.

1694. And you said, by somebody near the George?—Yes, it was near the George; that if we went there there would be something for us for holding up our hands; it was all over the town, that those who would go to hold up their hands for Mr. Duncan, there would be something for us.

1695. Whom did you vote for at the election of 1832?—I voted for Mr. Lowther; and I polled twice for Mr. Petre, I do not know what year it was.

1696. How often have you polled for Lowther?—Twice.

1697. Do you remember the election in 1833, when many of the freemen put up Mr. Lowther, but when the gentlemen had nothing to do with it the year before last year when Mr. Bayntun died; do you remember the election when Mr. Bayntun died?—No, I cannot.

1698. Did you vote?—I have polled every time since; I have polled these threescore years.

1699. Do you remember the election in 1832; that was two years ago last Christmas?—No, I do not.

1700. You have always voted for Mr. Lowther when he was a candidate?—Yes, since he was put up first.

1701. Did you get anything for polling at that election, when Mr. Lowther came first?—I got nothing of Mr. Petre.

1702. At that election, when Mr. Dundas was thrown out, had you anything given you for voting?—I had 10*s.*

1703. From whom?—From somebody.

1704. Whom did you vote for?—Dundas and Petre.

1705. You said you had voted for Lowther since he put up?—Since the first time; Mr. Lowther was between; but he did not come one time, that was the reason, and Mr. Dundas came in that time.

1706. I am going to ask you of that election when Mr. Lowther and Mr. Dundas, Mr. Petre and Mr. Bayntun were candidates; you remember that?—Yes, I think I do; I think that Mr. Lowther got in, and Mr. Bayntun.

1707. How did you vote on that election?—I cannot recollect; but I never voted for that side, but for the Orange party, before voting for Mr. Lowther.

1708. When did you begin to vote for Mr. Lowther; how many times have you voted for him?—I have voted for him twice; I have voted this here time and the other time.

Cross-examined by Mr. Wrangham.

1709. You say you always voted Orange?—Yes, but this twice.

1710. How long have you been an Orange?—These threescore years.

1711. How much did you get?—Sometimes half-a-guinea, and sometimes a guinea from each member.

1712. That makes two guineas from the two together?—Yes.

1713. That was what you always got from them?—Yes, I think we did; we very probably got half-a-guinea.

1714. But generally a guinea?—No, it was not; I think in Lord John Cavendish's time we got half-a-guinea.

 1715. Half-

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1715. Half-a-guinea at that time went a great deal further than it does now; that was a long time ago?—Yes, it is.

1716. Latterly, how much did you get from the Oranges?—A guinea a-piece.

1717. You say you got nothing from Mr. Petre?—No.

1718. How came that; did not they tell you you would have something?—He told me I should be paid; he set 500 down on Monday morning, and told me I should be paid.

1719. But he did not pay you?—No.

1720. That was very shocking, was it not?—Yes, it was not a good job; I got most from Lord Milton.

1721. How much did you get of Lord Milton?—About 9 *l.* a-piece.

1722. That was for the county election?—Eighteen for the county, and nine for the city.

1723. So you got 9 *l.* out of the city?—Yes, thereabout.

1724. That you got from Lord Milton?—Yes.

1725. Are you a voter for the county?—No.

1726. Were you a voter for the city at the time you got this money from Lord Milton?—It was that year.

1727. All the money you got till within the last two or three years came from the Oranges?—Yes, but this of Mr. Lowther.

1728. You had 3 *s.* 6 *d.* paid to you for holding up your hand in the Castle-yard?—Yes, I had.

1729. You were paid at the George Inn, were not you?—Yes.

1730. That was Mr. Duncombe's house, was it not?—I do not know that, but we were paid there.

1731. You tell us that you were promised to be paid by Mr. Petre; what election was that at?—It is not above two elections off.

1732. Was that the last election that Mr. Petre stood?—The last that he stood up for.

1733. Who was it promised you that?—I always polled for Lowther.

1734. You say you were promised at that election; who was it that promised you?—He is a bricklayer, and a great man for Mr. Petre.

1735. Do you remember his Christian name?—No, I cannot remember his name; he was one of Mr. Petre's rifles.

1736. Would you know the name if you heard it?—Yes, I should in a minute.

1737. Was it a man of the name of Barnabas Mitchell?—You are right.

1738. Do you not know whether Mr. Barnabas Mitchell is one of the petitioners here?—I do not.

The name of Barnabas Mitchell appeared upon the petition.

1739. Did he set down all those 500 names?—No, there were more besides him; there were several set us down, men that wanted to get set down.

1740. He was one of them?—Yes.

1741. Do you remember any other setting down; do you know who was Mr. Petre's agent at that election?—No.

1742. Was it Mr. Anderson?—I think it was.

It was admitted that Mr. Anderson was.

1743. You say you saw Mr. Leadley set down your name in a book?—On a piece of paper.

1744. You did not see whether he wrote anything else?—I did not see what he set down.

1745. So you do not know whether you were set down as a runner?—No, I was never set down but to go to poll.

1746. You say there is a great deal written upon the letter since you got it?—Yes; has not this come from Mr. Harrison, the spirit merchant?

1747. Whom did you give it to?—To Mr. Harrison.

1748. How did you come to give it to him?—I go there sometimes for spirits, and he said to me, Have you had the two sovereigns? and I said I had; and he asked me to show him the letter I had, and in a day or two's time I took it, and he said, May I have it? and I said, Yes, I do not want it; and he took it and put it in his pocket.

1749. You

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1749. You say there is a deal written on it since?—Yes, there was only Robert Dixon on it, not a word more.

1750. Then, "Cabinet-maker, Trinity-lane, York," and, "If not found, to be left at Mr. Carr's, Cripplegate," has been written since?—Yes, I did not write anything.

1751. Mr. *Hill.*]—Put your spectacles on and you will see a little better?—I did not put it on; it has all been done since I had it.

1752. Mr. *Wrangham.*]—Here is Mr. Robert Dixon, and you say that is all that was upon it when you had it?—Yes, every word.

1753. And that has been put on since?—Yes; I cannot read it.

1754. But you are as sure of that as you are of every thing since?—I am sure that that was written there, but I cannot swear that.

1755. You can swear that the letter which you got, and in which you got two sovereigns, had Robert Dixon?—Yes, I can swear that safely.

1756. You are as sure about that as you are of anything else you have told us?—Yes.

1757. About that city election in which Lord Milton stood, you had nine pounds?—He paid us all alike.

1758. How came you to get anything for the county election from Lord Milton?—The gentlemen went about and set us down.

1759. Which gentlemen have no vote for the county?—No; the gentlemen that set me down.

1760. Was it for voting at the city election that you were set down for the county? What did you do for this nine pounds?—We went about the streets, and gave cards to people that came in the carriage.

1761. And called out Lord Milton for ever?—Yes.

1762. You had nine pounds for that?—Yes.

1763. How much of it did you get for the city election?—Five shillings a day; the sheriff gave us five shillings a day for going about and carrying papers.

1764. How long did the city election last?—Nine days.

1765. That would be 45 *s.*?—Yes, and there was a guinea a-piece for members.

1766. You had a guinea a-piece for each of the members besides?—Yes.

1767. I think the Orange party pay better than the Blues?—I cannot say; Blues and Orange paid alike.

1768. But the Blues pay more than the Orange now?—They paid more than Mr. Dundas.

1769. Did they pay more than Mr. Barkley?—I do not know, I never saw him.

1770. Do you remember the year when Mr. Petre was sheriff?—He was High Sheriff of the county.

1771. And Lord Mayor of York?—Yes.

1772. He wanted to be Lord Mayor again?—Yes.

1773. There was nothing in his letter except the two sovereigns?—Nothing at all; I cannot say that there was.

Re-examined by Mr. Hill.

1774. The first time you voted for Mr. Lowther, whom else did you vote for?—Nobody asked me to do it; I did it at my own will.

1775. Did you vote for any one else besides Mr. Lowther at the first election?—Yes, I believe I did; I got a guinea from Mr. Lowther.

1776. Did you vote for anybody else besides; was it Lowther or a plumper?—No, it was a half vote.

1777. Who else; was it Mr. Petre?—I dare say it was; I voted for Mr. Petre twice.

1778. There is your name in the poll-book, one for Petre and one for Mr. Lowther?—Yes, that is right.

1779. You were not a messenger or body-guardsman at that election or since?—No, I never was nothing for Mr. Lowther; but they set me down for Mr. Petre.

Martis, 11° *die Augusti*, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Robert Pearson was called in; and Examined by Mr. *Anderson*, as follows:

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1780. YOU are one of the letter-carriers of the York Post-office?—Yes.

1781. In April last do you recollect a great many letters containing coin being put into the post-office?—I do.

1782. Were you employed to deliver part of them?—I was.

1783. Did you take receipts from the parties to whom you delivered those letters?—Yes; from the parties I took receipts to the office.

1784. Will you turn to such of those receipts as have been signed by you?—[*The receipts being handed to the Witness.*]—Yes.—[*The Witness produced a receipt.*]

1785. Is that the only one?—Yes, I think it is.

1786. Is that your signature?—Yes, it is.

1787. Did you deliver letters containing coin to each of the persons named in that paper?—I did.

1788. Did many persons apply to you for letters for whom you had none?—They did; many.

1789. Was that on the first day or the second day?—On the first day.

1790. Had you on the second or third day of delivery letters for several of those persons who had applied on the first day?—I do not know; they did not mention their names, or they might mention their names, but I could not attend to them. I told them they must all go home; that I did not deliver letters in the streets; and I said if there was a letter for them I would leave it at their house.

1791. Did you see any of those letters opened?—Yes, I did.

1792. What did they contain?—Two sovereigns.

1793. When the parties applied to you for those letters, what did they say?—They asked for the Blue letters, they generally called them; "Have you a Blue letter for so and so?" they said, and "A letter from Mr. Lowther," was the general cry.

1794. Those were the general cries, either "Blue letters," or "letters from Mr. Lowther?—Yes.

1795. Do you recollect one Robert Ellison applying to you for a letter?—Yes, I do.

1796. Did he apply to you several times?—Several times.

[The Witness withdrew.

Mr. *Wrangham* submitted to the Committee that the evidence respecting Robert Ellison could not, after the resolution, be gone into.

Mr. *Anderson* submitted that the evidence was admissible.

The Committee-room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee had resolved that they would hear the charge against Robert Ellison, and that a notice of the charge must be sent to him forthwith by the Agent for the petitioners.

Robert Pearson, again called in; and further Examined by Mr. *Anderson*, as follows:

1797. Did Robert Ellison apply to you frequently for a letter?—He did.

1798. Did he say that he would complain to any one if he did not receive it?—I do not recollect his saying any such thing.

1799. Did he afterwards receive a letter?—I took him one some time after.

1800. Look at that paper?—[*The Witness inspected the same.*]—That is the receipt.

1801. Was that signed by Robert Ellison in your presence?—It was.

1802. Did he open the letter in your presence?—Yes, he did.

1803. What did it contain?—It contained two sovereigns; it was not my business

business to see it opened, but he opened it before I could get him to sign the receipt.

1804. When he had before applied to you for a letter, did he designate that letter by any particular name; did he call it a Blue letter, or Mr. Lowther's letter, or anything of that sort?—I do not recollect what passed at the time.

1805. What district did you deliver those letters in?—In Walm-gate, and St. Saviour's-gate, and Cooper's-gate; those were the chief places.

1806. Is Walm-gate a street in which many poor people live?—It is.

1807. Had you a great many letters for that street?—I had the biggest number for Walm-gate.

1808. Do you recollect whether any note or writing appeared upon any of the letters, stating where they were to be left, if the parties to whom they were directed could not be found?—There was on some of them, but not on all, "Charles Woollens."

1809. Do you mean to say that a note to that effect, that they were to inquire of Mr. Woollens, was on some of the letters, if the parties were not to be found?—No; if the parties were not to be found it was put on it, "If not found, Charles Woollens, York."

1810. Does Mr. Charles Woollens live in Walm-gate?—He does.

1811. Do you recollect stopping at Mr. Watson's shop in Walm-gate, while you were delivering those letters?—I do.

1812. Did Mr. Woollens come up to you there?—Yes, he did.

1813. Did he give you any directions as to delivering part of those letters?—He said that if the parties were not found I was to take them to him.

Cross-examined by Mr. Wrangham.

1814. So you had the biggest number for Walm-gate?—Yes, I had.

1815. Walm-gate is the biggest street of those you have mentioned?—Yes, it is.

1816. A good deal, is it not?—Yes; it is the largest street of any I have mentioned.

1817. A good deal larger?—A good deal larger.

1818. This receipt signed "Robert Ellison," what did you do with it after you had taken it?—I took it back to the office.

1819. What did you do with it when you got there?—Put it upon the file.

1820. Upon the same file as the other receipts?—Yes.

1821. So that anybody looking for the other receipts must have seen this one?—Yes, it was on the same file.

1822. And would be above the other on the file?—Yes, perhaps it would.

1823. It would be put on later, and be above?—Yes.

1824. Therefore anybody looking to find money-letter receipts, would find this one before they came to the others?—They would.

1825. Did the parties in all cases sign those receipts themselves?—Those that could write.

1826. When a man could not write, what was done?—They generally made a cross.

1827. Was that all?—Yes; where he could not write we wrote his name, and he made a cross to it.

1828. Are all the names here written in your own hand-writing, in the first column?—No, they are not.

1829. Are any of those in your hand-writing?—Yes; I had Whitwell and one of the name of Scafe to assist me in delivering them.

1830. You mean that they took some letters and you took others?—They assisted me in delivering those letters; I had the biggest quantity; I was there at the same time; they went along with me; I had the letters; and this is Scafe's writing here.

1831. Tell us how you did it?—He sometimes had the pen and wrote, and sometimes I had; he wrote the names of the persons and their addresses, and then they signed their names to the receipts.

1832. The parties did?—Yes.

1833. Was that so always; you told us not always; generally you wrote the name where they could not write, and they made a mark; did you or Mr. Whitwell sign the receipt without a party making a mark?—No.

1834. Look at that case, "Joseph Kirke;" that signature appears to me to be in the

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the same hand writing as the address; how did that happen; there is no mark there; whose hand-writing is this; is it Mr. Whitwell's?—That is Scafe's writing, I think.

1835. The letter, "Joseph Kirke," appears to me to be the same; is that Scafe's hand-writing?—I do not know.

1836. You have seen Scafe write, have you not?—Yes.

1837. Is it not his hand-writing?—It looks like it, but I cannot say that it is.

1838. From your knowledge of his hand-writing, if you saw nothing else, would you say that was written by Mr. Scafe?—No, I should not.

1839. Would you say that that was written by Mr. Scafe; you have told us that it is?—I think it is.

1840. Do not you think that that is the signature?—I do not know.

1841. You can answer about the one; what do you think about the other?—I think it is Scafe's writing.

1842. This, the signature?—No, I do not know.

1843. Now look at the hand-writing; looking at Joseph Kirke here, and at the signature, say whether you have any doubt that they are written by the same person; look at the word "Kirke," and the way in which the "K" is made, and say whether you have any doubt upon your mind?—It looks very much like it, but I cannot say positively.

1844. I ask you for your opinion; I ask you whether that is not written by Mr. Scafe; speak to the best of your belief?—I cannot say that he wrote it.

1845. In your opinion and belief is not that his hand-writing?—It looks very much like it.

1846. Is that your opinion and belief, that it is his hand-writing?—It looks very much like it.

1847. *Committee.*]—Whose hand-writing do you believe it to be?—I think it looks like Scafe's.

1848. Do you know Kirke's hand-writing?—No.

1849. Do you know whether Kirke can write?—I do not know.

1850. Mr. *Wrangham.*]—I see you are the only person who signed this receipt; there is no signature of Mr. Scafe or of Mr. Whitwell to it?—No; I signed the receipt.

1851. I thought the practice was that all persons delivering the letters should sign the receipt?—They were in my delivery.

1852. *Committee.*]—Were they always in company with you?—Yes, they were.

1853. Mr. *Wrangham.*]—Look here, whose hand-writing is that in?—My hand-writing.

1854. Whose hand-writing is that?—[*the signature.*]—I have signed that.

1855. There is no mark, you see, there?—It was in his presence, if I did it.

1856. But, however, there is no mark made?—No.

1857. Can you point out any others where you have done the same thing; are there any others where you have signed?—No.

1858. You are quite sure there are none upon that page?—Yes; we were so very busy to get away where the parties were there some time.

1859. Is that your hand-writing?—[*pointing it out.*]—No.

1860. Whose hand-writing is that?—Whitwell's writing.

1861. Look at these signatures, and say whether any of them are in the hand-writing of Whitwell, Scafe, or yourself?—None of them that I see.

1862. Here is one signed by you, "Robert Archibell," whose hand-writing is that?—My writing.

1863 Whose hand-writing is that in the signature?—That is not my hand-writing.

1864. Are you quite sure of that; it looks very like it?—It does.

1865. Will you say that it is not your hand-writing?—I have signed that.

1866. It is your hand-writing?—Yes.

1867. Do you know so little of your hand-writing as not to know it when you see it?—We were so busy, and I see there are some.

1868. You first said that it was not your hand-writing, and then that it is; are you so ignorant of your hand-writing as not to know it at first sight?—I will not say that that is my hand-writing, and I will not say that it is not.

1869. Look at it again, and take time, and say whether you have any doubt that that Robert Archbell is written by you?—(*No answer.*)

The

The *Chairman* informed the Witness that he was not bound to answer any question which criminated himself.

1870. Have you any doubt that that is your hand-writing?—Well, I think it is.

1871. In whose hand-writing is William Ardestry; is that yours, or Whitwell's or Scafe's?—Scafe's.

1872. Whose hand-writing is the signature?—I think it is not Scafe's.

1873. Have you any doubt that it is?—I am certain that that will not be Scafe's.

1874. Look at the way in which the name is written here, and the address, and the direction, and the signature, and say whether you have any doubt that all those three columns were written by the same hand?—I cannot be positive, but I think it is not.

1875. You think it is not the same?—I think it is not.

1876. *Committee.*]—Were Scafe and Whitwell witnesses to your having delivered those letters to those parties?—Yes, they were with me at the time.

1877. What was your reason for their accompanying you?—I was so busy that I should have been very late in delivering them.

1878. How did their accompanying you assist you if you witnessed the delivery of them all?—I witnessed the delivery of all of them.

1879. What was the use then of taking them with you?—Because in the writing the receipt, and their names and their address, and their having to sign their name to it, it took up so much time, that we should not be able to get on.

1880. You had a great number of letters to carry?—Yes, and I had them to sort; if we had to go backwards and forwards we should never have done.

1881. Mr. *Wrangham.*]—After looking at those lists, you have no doubt that in several cases the signature is not in the hand-writing of any of the parties, but in the hand-writing of those who delivered them?—Yes, I am certain of that.

1882. *Committee.*]—Do you declare positively, of your own knowledge, that each of those letters was received by the party whose address they bear, notwithstanding the signature is not in the hand-writing of those parties?—Yes.

1883. Mr. *Wrangham.*]—Your signature to this receipt was meant to say this much to the postmaster; by signing that receipt you meant to say that those letters were delivered?—When I took the receipts to the office, I took 70 money-letters back; those letters that I took back, George Whitwell delivered them out of the window; he wrote himself, and then I signed the receipt; I see how it is in many of them.

1884. Ought he not to have signed the receipt?—As well as me, he ought to have signed it.

1885. Is there not a notice at the foot of every one of those receipts, "the postmaster will keep this receipt as proof of the delivery of the letters?"—Yes.

1886. Is it any proof of the delivery of a letter if the person who delivers it signs the receipt; can the receipt be a proof of the delivery of a letter when it is signed by the party delivering it, and not by the party receiving it?—It is against our rules, and we are very much in the wrong for not doing it; it is only done in those instances where we think never to hear of it again.

1887. *Committee.*]—In those cases where the signatures were not the signatures of the parties to whom the letters were delivered, were they signed at the time by you, and the other persons assisting you, or afterwards, when the letters were taken to the post-office?—They were signed afterwards on the morning I took 70 of those letters back; only one receipt, writing them down, as you see, and then those letters were delivered out of the window, and Whitwell and Whitehead, that wrote them, delivered them out of the window afterwards, and I put the name to all the receipts.

1888. In some cases you delivered letters to men who could not write, and in those cases you, or somebody else, signed their names against them without their putting their mark; was that done at the time that the letter was delivered by you?—It was done at that time.

1889. Invariably?—Yes.

1890. You are certain of that?—Yes.

1891. Either you, Whitwell or Scafe did it, or you did it yourself?—Yes.

1892. Did you carry pen and ink with you?—Yes, I did.

1893. Mr. *Wrangham.*]—You have told us that several of the letters were delivered out of the window of the post-office; were you present at that time?—No.

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1894. There is no signature of Mr. Whitwell or Mr. Whitehead to the delivery of those letters?—No.

1895. And some of those receipts are written in the hand-writing of Mr. Whitwell?—Yes.

1896. This is the state of things; you sign a general receipt, verifying that all those persons have received their letters, several of whom have not received them in your presence, and there is nobody else's signature at the foot of the receipt to verify the fact of the delivery, and the signature of the party is signed by the party delivering it, and not by the party receiving it; is that or not the state of the case?—Yes.

1897. *Committee.*]—When a letter is delivered at the post-office, at the window, do you sign a receipt on behalf of the person receiving it?—No.

1898. Mr. *Wrangham.*]—You sign instead of Mr. Whitwell, who ought to have signed it?—I am not certain of that; if I look at the receipt there is in one place his writing where I had him to assist me.

1899. You said as many as 70 you have taken back?—Yes.

1900. Several of those were delivered from the window?—Yes.

1901. Is there any signature but your own to verify the delivery of those letters, you not being present at the time they were delivered at the window?—From the window it stops here. [*In the list.*] That is not my hand-writing down here; they were delivered out of the window.

1902. In whose hand-writing is that?—It would be Whitwell's and Whitehead's, both of them.

1903. You say that those letters would not be delivered by you?—No.

1904. *Committee.*]—How many of those letters can you state of your own knowledge were delivered?—I cannot speak to that; I have no knowledge what quantity there might be of them.

1905. Can you positively declare, looking at the names that are contained in that paper, that money-letters were delivere to each of those parties?—No, I cannot do that.

1906. Mr. *Wrangham.*]—But your signature at the foot of them means to say so, that all had received their letters?—Yes.

1907. *Committee.*]—But by examining the paper, could you ascertain what letters you had delivered?—Yes, I could.

Re-examined by Mr. Anderson.

1908. Will you look at those papers, and point out those which you have delivered?—Peter Cundall, John Butler, Charles Fowler, Robert Archbell.

1909. Mr. *Wrangham.*]—That is the one which you signed yourself?—Yes; I am not certain whether I signed it or not; it is very much like my hand-writing. Richard Crumbie and George Birkinshaw, Thomas Cary, senior.

1910. Is Robert Ellison's name upon that paper?—No; Thomas Scowby, Robert Wilkinson, Thomas Arthur, Matthew Arthur, Robert Weatherell, John Leadly, John Collins, John Smith, Benjamin Grange, Richard Brown, Jacob Alderson, Joseph Mortimer, George Leadley, George Carrbutt, David Bell, William Anderson, Robert Wright, George Cobb, George Settle; that is all in this paper.

1911. Is Robert Ellison's name upon that paper?—No.

1912. Will you state the date of the delivery of that paper?—April the 22d. Those that I had taken back had been delivered at the window; that is not my writing.

1913. Do you know whose hand-writing it is?—I cannot speak positively; it is either Whitwell's or Whitehead's, they are very much alike in their writing.

1914. Will you look at the next paper?—William Giles, William Cavitt, William Birkinshaw, Luke Bradey, John Ealand, George Fletcher, George Crumbie, J. Gibbons, John Emerson, William Anderson, B. Dent, J. Creaser, James Green, John Blyth, John Hubie, Peter Cundall, John Butler, Richard Carr, Thomas Carey, senior, George Birkinshaw, John Edward Boocock, Richard Crumbie, Robert Archbell, Charles Fowler; that is all in this one.

1915. Are there any that are not delivered by you there?—There is Archbell; whether he wrote the name or not, I cannot say, but I delivered the letters.

1916. Will you state the names in the third list? Will you read the names of those to whom you have delivered letters in that list whom you are quite positive of having delivered letters to?—Samuel Smith, William Wiseman, George Lund, J. Scruton,

J. Scruton, John Jefferson, Thomas Wilkinson, Mark Stubbs, Richard Hill, Robert Proctor, James Ryan, William Pennalton, Stephen Taylor, Thomas Masser, James Dent, Thomas Hodges. *Robert Pearson* 11 August 183

1917. Are there any more in that list than you are certain of having delivered to?—No more, except Scafe was with me, and he wrote and I delivered.

1918. He took the ink, did he not?—Yes; he carried the ink and I carried the letters.

1919. Did he carry the pen as well?—He did.

1920. Was the reason of having an assistant, the great number of letters that you had that morning?—Yes.

1921. Those that he wrote the names of, was it not in your presence that he he did write the names?—Yes.

1922. Are you quite sure that that list which is written contains the list of names of those you delivered?—Yes.

1923. *Committee.*]—You have not mentioned the name of Robert Ellison among the names?—No; I delivered to him afterwards some time.

1924. Does his name appear on the separate receipt?—Yes.

1925. You have read out of that paper a certain number of names, being the names of parties whom you are positive you delivered letters to?—Yes.

1926. The other names contained in the paper, is it your full belief that those other parties also received the letters addressed to them?—Yes, it is.

1927. And your belief is that they received them through Scafe or Whitwell?—They were with me at the time, except those that were delivered out of the office.

1928. What situation does Scafe hold in the post-office?—He is a sorter.

1929. Then he was sent out with you on that day as an unusual thing, on account of the great number of letters; is that the fact?—Yes.

1930. Would it have been possible for Scafe or Whitwell to have put one of those letters in his pocket, and to have signed the name of the party whose address it bore, and for that to have escaped your knowledge?—They could not do it; Scafe and Whitwell were both with me when I delivered the letters, perhaps I had to give them change, and in the meantime he was writing the address which is put down there, we had only to get it signed.

1931. Did you deliver with your own hands those letters?—I did.

1932. In that last paper you have read from, what is the whole number of names included on that paper?—Ninety-one, I think.

1933. This is the last paper you have read from?—This is the first paper.

1934. The whole number of names appearing on any one paper, respecting which you have told the Committee you are quite positive you delivered letters to, is 20 or 25, therefore the other 50, or 60, or 70 names, are those which you do not speak with any certainty that you delivered letters to?—I am certain that I saw every one of those delivered; he wrote those on the side where we began, and he wrote down I was present when those were delivered.

1935. You are giving the names of a certain number of persons that you can speak positively to, respecting letters?—Yes, that I wrote myself.

1936. Do you speak positively to all the rest?—I speak positively to all on this side, written by Scafe.

1937. Did you give those names?—No, I did not.

1938. Therefore there are some that you can speak positively to, besides those whose names you read?—Yes.

1939. Is it of your own knowledge?—It is of my own knowledge.

1940. Why did you not read the names, when you were desired to read the names of those you were positive of?—I thought it was those in my own writing I was to read.

1941. You have given the Committee the names, where you could be certain it was your own writing?—Yes, where I am certain that it is my own writing.

1942. The rest are written by other people?—Yes.

1943. But you are equally certain that the letters were delivered?—Yes.

1944. Who began to write?—Scafe began to write the very first, and I am certain of the delivery of all those.

1945. Whitwell wrote some of them?—Whitwell wrote some of them, but Whitwell's are here—[*pointing them out.*]

1946. Did Whitwell go with you upon the delivery?—The first morning he went.

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1947. Did Whitwell write receipts for some of those that were given to the post-office the day after you did not find all the persons at home, and those letters were delivered to the post-office?—Yes.

1948. Whitwell signed some of those, did he not?—He wrote the address, and they signed them upon the letters.

1949. Can you distinguish between those he signed at the post-office, and those he signed upon the road, or at the parties' houses?—Yes; those are some here.

1950. From that to the bottom of the page has been signed at the post-office?—Yes.

1951. How do you distinguish between those written at the post-office and those written on the road?—Because I see at once, at the bottom of Walm-gate there were many that were not at home, and many that we did not deliver, and many in Water-lane, and they came to the office for them.

1952. Are those names, those you did not find at home, at the end of the list?—When I took the letters to the office, then the parties came to the window and had the letters delivered out.

1953. When you say that you are certain of the delivery of a great number of letters to which your own hand-writing appears, do you mean to inform the Committee that you are certain that they were delivered to the persons to whom they were addressed, or that they were delivered out of the post-office?—They were delivered most part of them out of the office.

1954. Does your knowledge extend to the fact as to those letters being delivered, not merely out of the post-office, but to parties to whom they were addressed?—On the first part of the paper, with the address and name signed, those letters I am certain of the delivery.

1955. To parties to whom they were respectively addressed?—Yes; but those that were delivered out of the office I was not present at the time.

1956. Did you deliver any letter to Mr. Woollens in consequence of not being able to find the persons to whom they were addressed?—I do not recollect any.

1957. Why, if the direction so appeared upon the back of the letter when the person was not at home, did not you do so?—I found the parties or they came to the office for them.

1958. There were 70 letters you took back?—Somewhere about 70.

1959. But if it was upon the direction that, not finding the party, you should take them to Mr. Woollens, why did you not take them to Mr. Woollens?—They would in the evening, if the parties had not come for them, be delivered to Mr. Woollens.

1960. That would be the practice in the post-office?—Yes.

1961. Not to deliver them to the party to whom that memorandum was put till the evening or next morning?—Yes.

1962. Many of the parties were not at home when you called?—Yes.

1963. Though you found the residence you did not find the parties at home, but you did not deliver them to Mr. Woollens?—No.

1964. How long have you been in the post-office?—Somewhere about 12 months.

1965. Have you always delivered letters in the same district?—No.

1966. For how long have you delivered letters in this district?—There is me and Peters change every four months.

1967. You have been for the last two or three months delivering letters in Walm-gate?—I am not in that district at present.

1968. Did you ever deliver so many money-letters before?—No.

[The Witness withdrew.

Mr. *George Whitwell* was again called in; and further Examined, as follows:

Mr. G. Whitwell.

1969. Mr. *Wrangham.*]—HAS anybody had any conversation with you about your evidence?—No.

1970. Have you not heard anything of the evidence?—No.

1971. Mr. *Anderson.*]—Was not your place taken to go home to York immediately?—It was.

1972. Look at that paper. Is there anything in that list which enables you to state whether you delivered the letters mentioned there to the parties at the post-office. Look at the hand-writing at the bottom, at the part which is pointed out

to you?—No; there is nothing that makes me say whether I delivered them from the window or not.

1973. You could not tell where those have been delivered?—No.

Cross-examined by Mr. Wrangham.

1974. Can you say that you delivered any one letter in these lists; look over them all, and state whether you delivered any one letter in those lists?—[*The Witness examined the lists.*]—I believe those three to be my hand-writing.

1975. Does that lead you to the conviction that you delivered those letters?—It does. There is another thing; it does not follow that I delivered them from the window; meeting the letter-carrier in the street, and finding that he was in difficulty to deliver the letters, I took upon myself to assist him.

1976. If there were letters there which you had delivered from the window without the letter-carrier being present, would you not have signed the receipt yourself at the foot?—I should if I had been aware of it.

1977. Supposing there were such a number of letters as all those delivered from the post-office by you—[*pointing it out*]—without the letter-carrier being there, would you not have signed the signature?—Yes, I should.

1978. Signing all those there, what is your belief as to your having delivered them from the post-office window, or any of them?—It might be the case that I might; and I might not, for this reason, the hurry of business was such at the window of the office that we took any receipt that we could lay our hands on to get them to sign at the time, never expecting to be called on to secure ourselves that we had delivered the letters properly; we had nothing to do with where the letters came from, but we took those receipts that we might secure ourselves from their calling upon us to say, "You have had letters for us which were not given."

1979. *Committee.*]—Your name not being there, should you consider yourself responsible for the delivery?—As far as my hand-writing went.

1980. Mr. *Wrangham.*]—Is that your hand-writing?—No; I could not swear to my hand-writing in all cases; the hurry of business was such that we took up anything to write with that we could.

1981. They seem to be written with a good pen?—They might be.

1982. Is that your hand-writing?—I believe not.

1983. Have you any doubt of it?—I really cannot positively speak to it.

1984. Can you speak to any one of those being your hand-writing?—There are three, as I said before.

1985. I mean the names at the end, going from James right down to here; can you speak to those being your hand-writing or to whose hand-writing they are; do you recognise the hand-writing of any person in the post-office?—Yes, of some of them more than my own.

1986. I mean on this side?—I cannot speak to the hand-writing of any but these three, and those are mine.

1987. What is your belief as to the delivery of those?—My belief is that it is my hand-writing; "James Rochester, J. Robinson and B. Hague," are the three names.

1988. You believe you delivered those from the post-office?—Robinson, I must have delivered to him from the post-office, and the other two I cannot say whether from the window or elsewhere.

1989. Was it not your business, if you delivered any letter from the post-office window without a letter-carrier being there to sign it, to sign the receipt?—It was, if I discovered afterwards.

1990. Would it not be your business, if you wrote the signature of any person, to sign the receipt under Pearson's name?—It would, if I was aware of it.

1991. You must be aware of it when you did it; when you delivered the letter and took the receipt, would it not be your duty to sign at that time?—I should have done so if I had been minded.

1992. You cannot out of those 40 names speak to more than three?—I cannot positively.

1993. Can you speak to any of the others, as to whether any of the names were written by any in the post-office; can you speak to the hand-writing of any of that string of names besides the three you have spoken of?—[*The Witness examined the paper.*]—I cannot say positively.

1994. Do you say that you are not acquainted with the character of the hand-

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writing upon that paper?—No; upon this paper I am not, because it is not a regular hand-writing.

1995. What number of clerks are there in the post-office besides yourself?—The clerks and letter-carriers who signed the receipts are nine; there are six letter-carriers and two clerks, beside the head clerk.

1996. *Committee.*]—Then, assuming that letters are delivered from the window, is it any one of those three clerks who writes the names and addresses of the party to whom they are delivered?—It was myself and the second clerk; but notwithstanding that, the other letter-carriers were in the office very frequently at the time and assisted us in writing the names.

1997. Then you mean to say that at the time when the letters were being delivered out of the window on this occasion, several of the letter-carriers were in the office, and that the names and addresses of letters delivered out of the window might have been written by any one of those letter-carriers?—Yes, I mean to say that.

1998. Are you acquainted with the hand-writing of all the letter-carriers?—I cannot say that I am, though I have seen them; it is different in writing names from hand-writing in all cases, as it is possible to be in a general way, because the hurry of business was such that we were glad to get anything done.

1999. Do you know Scafe's hand-writing?—Yes; and I think there are some of Scafe's upon that.

2000. Do you think the names from there to the bottom—[*pointing it out*]—are written by one person?—I think they are, and not unlike mine in cases when I have a steel-pen; but I cannot say that they are mine.

2001. You see those, and you have some doubt whether they are your hand-writing or not?—Yes.

2002. Your business requires you as a clerk to be very conversant with hand-writing?—Not particularly.

2003. Do you keep books?—We keep books.

2004. Are you employed in keeping books?—Yes, but our books are more in figures than in writing.

2005. And you account for the circumstance of not knowing this hand-writing that all was done in a great hurry?—I do.

2006. That throws a great uncertainty upon all that was written at the time?—It throws no uncertainty, because the parties would sign before they got them, as to what they got.

2007. Would you have been able to have spoken with more certainty as to the hand-writing a few days after the writing being put upon that paper, than you are now?—I should, no doubt; because I could have recollected several of the names.

2008. You could have spoken with more certainty?—Yes.

2009. As to any conversation that passed between you and any persons that applied for letters, was that in the same sort of hurry?—It was done all in a hurry.

2010. Would you speak with the same doubt as to the accuracy of any conversation that passed between you and those parties at that time?—I would speak correctly when I say that such expressions were used by them in general, not by any particular individual.

2011. You would speak positively as to expressions being generally used?—Yes.

2012. Such as "Blue letters?"—Such as "Blue letters," and "Have you any of Mr. Lowther's letters for me?"

2013. But anything beyond that you cannot speak to with accuracy?—I cannot.

2014. Confusion, and the hurry of the time and the distance, would make you speak with great doubt upon anything beyond that?—It would.

2015. Did you accompany Pearson, the letter-carrier, on the day on which those letters were delivered?—I did, part of his way.

2016. Where did you join him?—Somewhere about Pease-and-Green.

2017. How long did you remain with him?—I think I went for half-an-hour or an hour; I might be an hour, or longer.

2018. Were many letters delivered during that time?—Yes, there would be a few delivered in that time.

2019. What part did you assist?—I took them from him to help him to find the parties, and in some cases I put the names down for him; I had nothing to do with the responsibility of the business.

2020. What

2020. What did you do to assist Pearson, did he carry the letters or you?—He took them, and I took them to find the party. Mr. G. Whitwe

2021. Had you a pen and ink with you?—I do not know whether a pen or not; he had. 11 August 183

2022. Was anyone else with you?—There was none else but me and Pearson.

2023. Did Scafe accompany you?—There was some one, but I do not know who it was, that met with him after I had left him, and that assisted him.

2024. When you left him, was nobody else with him?—I think somebody belonging to the office.

2025. Was it Scafe?—I think it was a person of the name of Featherstone, that was coming from his own round; having delivered his letters and having to come on the same line that he was, I think he assisted him.

2026. Can you point out which of the letters in the list were delivered in your presence?—No, I am sure I cannot.

2027. Would not the addresses direct you to that, if you knew the places to which you accompanied him?—No, my recollection would not say at what place I was with him; I joined him, sometimes he took one, and sometimes I went on and went to a house; we were not both at one house together.

2028. Then you took a letter from him sometimes, and went away to a spot to deliver it?—Yes, I did; and sometimes he went, and sometimes we were both together.

2029. When you separated, who took the lists?—One of us took the lists, but the other waited at the other place.

2030. How did that save time?—Because he got the parties and got everything arranged.

2031. Mr. *Wrangham.*]—He might have written the addresses, and you got it signed afterwards?—Yes.

2032. Whereabouts did you leave him?—I think it was about Foss-bridge, or near to Walm-gate.

2033. Did you get to Walm-gate with him?—I am not certain whether I went over the bridge with him; I did not go down Walm-gate with him.

2034. Was it not necessary sometimes to obtain change, where a party paid a penny for his letter?—If it was so, he would be provided with change, because it never happens that when we have penny letters but what we get a great deal of copper, more so than at any other time.

2035. You did not see Scafe with him?—I have no recollection.

2036. And you did see Featherstone with him?—Yes; but notwithstanding that, I think that Scafe had been with him.

2037. Is that from hearsay?—From hearsay; I did not see him.

2038. When you say from hearsay, you mean to say that you heard it from Pearson, after he came back to the office?—Yes; it is utterly impossible to speak to anything, any further than any particular remark that was made at the time.

[The Witness withdrew.

Robert Pearson was again called in; and further Examined by the Committee, as follows.

2039. WHO accompanied you on the day on which you delivered those letters?—Scafe, on the first time. *Robert Pearso*

2040. Did he go with you from the office?—He did.

2041. How long did he remain with you?—On the first morning he did not.

2042. Recollect yourself?—I went by myself the first morning, and Whitwell met me in Collier-gate, or in St. Saviour's-gate, and he went down Garden-place with me, and Scafe came to me in Foss-gate, and went down Walm-gate.

2043. How long was Scafe with you upon the whole?—He went till I had finished.

2044. Were Scafe and Whitwell with you at the same time?—No, Whitwell had to go to the office when Scafe came to me.

2045. Did you not inform the Committee that the names of the first letters were written by Scafe?—It was the second time.

2046. Did you deliver all the letters with your own hand at the houses of the parties to whom they were addressed, those that were delivered on that day?—Those that were delivered; I was present when they were all delivered.

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2047. You did not give any of them to either of the parties to take to the houses to which they were addressed?—No.

2048. You are quite sure of that?—I am quite sure of that.

2049. Mr. *Wrangham.*]—You are quite sure that this never happened, that Mr. Scafe or Mr. Whitwell, or whoever happened to be with you, left you delivering the letters in one house while he took the list and went to a house, and came back and brought you the receipt?—Yes.

2050. That you are positive of?—I do not recollect any time that there was that.

2051. Did you keep possession of the receipt.—I had possession of the receipt, and I had possession of the letter.

2052. This never happened, that while you were delivering a letter at one door, one of the others took a letter from your heap, and came back with the receipt, telling you that he had delivered it?—No.

2053. Was anybody else with you on that day except Mr. Scafe and Mr. Whitwell?—No.

2054. Speak with positiveness upon the subject?—I can speak positively to that.

2055. Was there any one helped you on any day, that day being the day when Mr. Whitwell helped you?—No.

2056. Did Mr. Whitwell help you more than one day?—No.

2057. That you can undertake to say positively, that no one helped you on that day but Mr. Scafe?—I can.

2058. *Committee.*]—Do you know a person of the name of Featherstone?—Yes.

2059. Did he assist you?—No.

2060. He did not accompany you any part of that day when you were delivering letters?—Yes, he did; I had forgotten that.

2061. You now think he did?—I think he did.

2062. Did he write any of the names?—He might write the address which is upon the receipt; it is generally written at the office where you take one receipt; it is written at the office.

2063. But the names of the parties were written by the men who accompanied you?—Yes.

2064. Did he write any of the names?—I think he might.

2065. How long was he with you?—He was with me on the first day.

2066. Which was the day that Whitwell came?—Whitwell was with me on the first day.

2067. Was he with you before or afterwards?—Afterwards; Featherstone was after Whitwell.

2068. Was he with you at the same time with Mr. Whitwell?—No, he was with me instead of Scafe; he went with me to the bottom of Walm-gate, and the next morning Scafe went with me.

2069. Then Scafe did not go with you on the first day?—No, on the second day.

2070. Is Featherstone in the post-office?—Yes.

2071. What is he; a clerk?—He is a sorter.

2072. Mr. *Wrangham.*]—Which was the first day that you delivered letters upon?—I cannot speak.

2073. Is any of Mr. Scafe's hand-writing there?—Scafe wrote this, but the letter was not delivered at the time.

2074. How did he come to write that?—He was going with me and he went home to get breakfast; he was going with me to write the address which is written on the outside.

2075. In this case it was not, and it was written as you delivered them?—Yes.

2076. Are all those your hand-writing?—No, they are not all my hand-writing.

2077. Whose are those?—Those are Featherstone's.

2078. You could not tell who had written those; is it Featherstone?—I am not certain about the hand-writing.

2079. Supposing that this should be true, that the person who accompanied you went away, taking a letter out of your heap, and went into another house with it, and came back telling you that he had delivered it and had obtained the receipt, you could not speak from your own knowledge of the delivery of that letter?—No.

2080. *Committee.*]—

2080. *Committee.*]—You say that Featherstone was with you; which day was that, the first or the second day?—He relieved me on the first day,

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2081. You said just now that you were positive that nobody was with you at that time?—On the first day Whitwell assisted me in St. Saviour's-place, and Featherstone came down Walm-gate.

2082. You said previously that you were positive nobody assisted you but Whitwell; and when Featherstone's name was mentioned, you said you remembered it?—I admit that I was wrong in that respect.

2083. How do you account for your having given a wrong statement, is it the distance of time and the hurry of business?—Yes; it was the length of time.

2084. You would have given a more accurate account if you had been examined a few days after?—Yes.

2085. May not the same uncertainty prevail through the conversations respecting which you have told the Committee, after this distance of time; you have told us that you met Mr. Woollens in a certain shop, and that a conversation occurred there; does not the same uncertainty rest upon that as with respect to what you have told the Committee of Fetherstone?—There were two days of delivery, and the length of time, so that I had forgotten.

2086. Can you pretend to say at this distance of time that all you have told the Committee concerning the meeting Mr. Woollens in a particular shop, and what passed there is accurate, which you have stated as the particular conversation?—Yes; of that I can be quite positive.

2087. There are some things of which you can be quite positive, while there are others of which you speak in a doubtful manner?—Had it been a little after the time, I should have remembered it.

2088. But your memory is very good to a certain extent, and beyond that very imperfect?—This is what I never expected to hear anything more about, respecting the parties going with me after I left the office.

2089. Never expecting to hear anything more of it accounts for your having a very imperfect memory of all that took place, does it not? It does not account for your remembering some things with perfect accuracy, and others in an imperfect manner?—Seeing so many of those letters with Charles Woollens put on them leads me to remember.

2090. Did you mention that circumstance to Mr. Woollens before Mr. Woollens told you to take them up to him?—No.

2091. Are you quite certain you did not mention it to him that there was that direction?—Yes.

2092. You are sure he mentioned it first?—Yes.

2093. May not you be mistaken as much with regard to that as with regard to Featherstone?—Yes; but I am certain of that.

2094. Which side do you belong to in York?—I am no side.

2095. If you had a vote, whom would you give it to?—I know no difference much. I do not think much of politics.

2096. Your mistake has consisted in saying that Scafe accompanied you on the first day, instead of Featherstone?—Yes.

2097. You have no doubt that somebody went with you?—Yes.

2098. And you thought that Scafe was with you?—Yes, from the two days; the first day Whitwell went with me a little bit down Garden-place, and then Featherstone went down Walm-gate with me.

2099. You have not made any other mistake, have you?—No.

2100. You do not recollect every question that has been asked you upon this Committee?—No.

2101. But you will never forget the examination of the Member for Whitehaven?—No.

[The Witness withdrew.

Mr. *Thomas Reynoldson* was called in; and Examined by Mr. *Anderson*, as follows:

2102. WHAT are you?—A clerk in the Post-office at York.

Mr. T. Reynold

2103. Do you recollect a large number of letters being put into the York post-office in April last?—I do.

2104. Were they put into the box in the usual manner?—I cannot say how they were put in; they were put into the box, but in what mode I do not know.

 2105. Did

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2105. Did you find them there in the morning?—I did.

2106. Did you draw the box?—It falls to my department to draw the box in the morning.

2107. Did you draw the letter-box that morning?—I did.

2108. Did you remark anything respecting the letter-box?—The remark that I made was, that it was very heavy.

2109. What did it contain?—A great number of letters.

2110. Did those letters appear to contain coin?—Not all the letters that came out of the drawer did not.

2111. Did a great proportion of them?—The greatest portion.

2112. Did you ever know so many letters put into the post office at one time appearing to contain coin?—No.

2113. Did you deliver any of those letters?—There was a small portion which I delivered.

2114. Will you look at those lists; is there your signature at the foot of those lists?—Yes; but I do not say that I delivered all those.

2115. Are there any of those that you can say you delivered?—To discriminate I cannot do it.

2116. Did anybody accompany you at the time of delivering them?—No.

2117. Is there not one that you can discriminate?—To say not one, I could certainly speak to one I know perfectly well; I believe you will find his name, Weatherell.

2118. Will you look through the lists, and find out the names of those which you know positively were delivered by you?—Thomas Cowl. To speak conscientiously, I cannot say any other names; there are particular circumstances which would make me remember that man upon that list.

2119. What does that signature of yours indicate at the bottom of the letter?—That says, letter-carrier; and I do carry a portion of the letters, but I am not entered as a letter-carrier.

2120. What does that signature indicate?—Letter-carrier.

2121. Does it not mean to indicate that you have delivered those letters?—Yes, undoubtedly.

2122. How did you deliver them?—By carrying them.

2123. The whole?—No.

2124. Then if you did not carry the whole, who did?—They were not carried out of the office; I brought a portion of them back.

2125. Did you deliver all those that were not brought back?—Yes; all that were not brought back I delivered.

2126. What proportion of them came back to the office?—But a small one.

2127. Then, excepting a small proportion, you did deliver them?—Yes.

2128. What became of that proportion of them that were returned to the office?—I left them in the charge of the clerk who had charge of the office that day.

2129. Who was that?—That I cannot say; it was either Whitwell or Whitehead.

2130. By Whitwell, you mean the last witness?—The last but one.

2131. Is Whitehead in London?—No.

2132. Is there anything in that list by which you can now determine which of them were delivered by yourself personally?—Cowl I pointed out.

2133. That is one?—The greatest portion were delivered by me; but to be put on my oath to say, that I would not do.

2134. Could you do it; it is not what you would?—I cannot say to swear to any one; had I had knowledge of those that were brought back, then I could say whether all the rest were delivered by myself.

2135. Is there any hand-writing of Whitwell or Whitehead upon that paper?—Not that I know of.

2136. Then the whole is your hand-writing?—Do you mean with regard to the writing here?

2137. Yes.—It is not my hand-writing.

2138. Whose hand-writing is it?—It is written by one of the clerks, to the best of my belief, of the name of Scafe.

2139. Did you take the signatures of those parties?—Yes.

2140. Did you not write the description of the parties as you went along delivering the letters?—No, this was done in the office.

2141. Did any one assist you in the delivery?—No.

2142. What

2142. What is the name there, is that the signature of any party who assisted you?—No, it is not.

2143. Had you many applications made for letters during the time that you were delivering them?—Yes.

2144. What did the parties call them?—They called them the Blue letters, or Lowther's letters.

2145. Did you see any of them opened?—Yes, many.

2146. What did they contain, such as you saw opened?—Some contained two sovereigns, and a few contained four half sovereigns.

2147. Were any of those letters directed to be left at any particular place, if not found when returned to your own delivery?—Not in my remembrance.

2148. In looking over the whole of the letters that were in the box, did you see several directed to be left at any particular place?—Yes.

2149. Do you recollect the names of the places, Mr. March for example?—Yes, Mr. March was one.

2150. You recollect Mr. March of Goodram-gate?—Yes.

2151. There were several letters directed, "If not found, to be left at Mr. March's?"—Yes.

2152. Did you see Mr. Woollen's name, of Walm-gate?—Yes.

2153. Did you see Mr. Carr's in the same manner?—I cannot speak positively to seeing Mr. Carr's, though they all passed through my hand, and therefore I might.

Cross-examined by Mr. Wrangham.

2154. How many clerks have you in the post-office; you are one?—Yes; Whitwell is one, Whitehead two, Featherstone three, Scafe four, myself five, and Mr. Clifford six. Mr. Clifford is the head clerk.

2155. How many letter-carriers?—There are three.

2156. There are no more than three letter-carriers?—There is Peters one, and Briggs two, and Pearson three; by having fresh ones it rather baffles one; that is all excepting two clerks, who assist in carrying out a portion of the letters.

2157. That is yourself; who else?—Featherstone, and likewise Whitwell and Whitehead carried out letters at that time.

2158. Is that their regular business, to deliver?—They deliver a portion occasionally.

2159. Then four out of six deliver letters?—Yes; four out of six deliver occasionally.

2160. Are all those receipts in the hand-writing of the party to whom the letter was addressed?—Yes, it is.

2161. You can speak positively that every person to whom you delivered letters signed the letter themselves?—I think they all did, except some; the father said he could not write, and he got one of his children to write in his presence, and his wife also signed it for him.

2162. Did it fall into your department to sign it?—No.

2163. You did not sign the receipt?—No, I did not sign it for him, I never signed a single receipt for him; I wrote his name and his mark.

2164. But, without a mark, you never signed a single receipt?—No.

2165. You have told us, of all the names that are shown you, you can speak positively of only one?—No.

2166. You cannot identify the others?—Nothing struck me to identify them.

2167. Mr. Cowl is the only person that you could fix upon as having delivered a letter to?—Yes.

2168. You say you brought some back, by whom would those be delivered?—Whitwell or Whitehead.

2169. Would not their signature appear?—I do not think it would in this case; they were delivered by them.

2170. Is not your signature put to imply that you profess to speak to all in this paper?—No.

2171. What does it say?—That those fall into the department of my delivery.

2172. You might then have as well signed it before you went out, as when you came back again?—In regard to that, I do not know who brought them back; we were desired to sign the receipts, as being in our department of delivery; they were principally delivered to me; there were a few brought back.

2173. If this signature does not mean to say that you can speak to the delivery, what

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what does it mean to say; does it mean that those letters fall within your department?—I can speak to most being delivered by me; but I do not know of anything else that I can speak to.

2174. There is no signature by the clerks that they delivered those that were brought back?—No.

2175. You cannot take upon yourself to say that you delivered all upon this paper, nor can you speak to any one in particular but that of Cowl?—No, I cannot, to be very positive.

2176. You have spoken to but one name?—Not in that sheet.

Re-examined by Mr. Anderson.

2177. Have you any doubt that the whole were delivered by yourself or by the post-office?—Not the least.

2178. What you have said of that list you would say of the other lists; the description you have given of the one you would give of the others?—I could speak to the fact of delivering one of those that came; it is marked William Weatherell.

2179. Mr. *Wrangham.*]—Can you tell us whether Weatherell is a freeman or a ten-pounder?—To the best of my knowledge he is a freeman.

2180. *Committee.*]—How is Cole; is he a freeman?—I believe he is; he is an old resident in York, and has been, I dare say, a freeman for some time; very possibly he may be born a freeman.

2181. You saw some of those letters opened?—Yes.

2182. Did the persons make any observations upon opening them?—They were all very pleased with them; and some said, Mr. Lowther was a good fellow.

2183. Did anything else pass?—To speak positive, I cannot say exactly; every one had something to say in regard to them, but I cannot say what it was exactly; but the chief part knew they were Mr. Lowther's, or the Blue letters.

2184. You mean that they appeared to expect it?—Yes.

2185. Did you deliver any of those letters to a person named March?—No.

2186. You did not see such a person?—No.

2187. Where does he live?—At Goodram-gate.

2188. What is he?—He is a publican.

2189. Is he a voter?—I should think he is.

2190. Does he take an active part in elections?—It is so little that I mind the elections that I cannot speak. I know him by sight, and that is all I know.

2191. And you know he is a publican?—Yes.

2192. On the first list there are four names in blank; were those letters delivered to the parties to whom they are addressed?—Yes; I believe George Brown got his, but by whom delivered I do not know.

2193. Will they be found in some other list, if they were delivered?—I am sure I cannot say whether they would or would not.

2194. Have you not signed an acknowledgment there to have received from the postmaster of York the whole of the letters contained in that list?—Yes.

2195. How do you get clear of the responsibility of four of the letters which do not appear to be delivered to anybody?—Very possibly those might be some of the letters that I put into the office, but to say expressly I cannot, because I took no account and no account was required; when we brought them in, we delivered them to the clerk in waiting, and then our responsibility was done. We pointed out to him, here are so many letters not signed upon our sheet, and desired him to come and see, and showed him the letters.

2196. Would you have considered yourself responsible for every letter you took out, and did not bring back?—Either to bring the signature of the party, or otherwise to deliver what letters I had to the clerk in the office.

2197. You would consider it as evidence against you of having delivered it?—It is the only thing that I have to prove the delivery.

2198. Can you prove the delivery of these four?—No further than when I came to the office I desired the clerk to look at the letters I brought back; I had no other proof for it; he gave me no receipt for them.

[The Witness withdrew.

Mr. *Percival Watson* was called in; and Examined by Mr. *Hill*, as follows:

Mr. *P. Watson.*

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2199. WHAT are you?—A grocer.

2200. Do you live in Walm-gate in York?—Yes.

2201. Do you recollect the delivery of the sovereign letters?—Yes.

2202. Do you recollect the first morning of any being delivered?—Yes.

2203. Did it create any sensation in Walm-gate?—A great deal.

2204. Are there many freemen living in that street?—Yes, I believe there are.

2205. Were there many letters for persons in that street?—Yes, there seemed to be a goodish few.

2206. You have spoken of the first morning that letters were delivered, how do you know it was the first morning?—There were none came out before that morning.

2207. Do you know George Lundy?—Yes, I do.

2208. Do you know his wife?—Yes.

2209. What is he by trade?—He is a skinner.

2210. Do you know for whom he voted?—Yes.

2211. For whom?—Mr. Lowther.

2212. Was it a plumper?—Yes.

2213. Mr. *Wrangham.*]—Did you see him vote?—Yes.

2214. Mr. *Hill.*]—Were you one of the poll-clerks?—Yes; I was.

2215. You say George Lundy's wife came; to whom did she come?—She came to the postman.

2216. Where was the postman then?—In our shop.

2217. Did she ask him for anything?—Yes.

2218. For what?—If there was a letter for her.

2219. What answer did the postman give her?—I think they were pretty nearly these words, that they did not go so far as her name that morning; they went as far as a certain letter in the alphabet.

2220. What letter was that?—H.

2221. He told her they had not gone to that letter that morning, but as far as H.?—Yes.

2222. Did voters and their wives come to your shop to inquire for letters?—Yes.

2223. How came they to inquire at your shop?—He had some letters to leave for us, and he was there sorting his letters.

2224. Having a great many of those sovereign letters, he was sorting them in your shop?—Yes.

2225. And the people came in to inquire for letters?—Yes, they did.

2226. Did anybody come in for whom there was a letter?—Yes.

2227. What was his name?—Green.

2228. Do you remember what his Christian name was?—I do not.

2229. What is his trade?—He is a cooper.

2230. Did he have any letter?—Yes.

2231. What did he say?—He said, "That is mine."

2232. What did the postman say to that?—He could not give it to him there.

2233. Did he say so?—Yes.

2234. He said "I cannot give it to you?"—Yes.

2235. Why?—Because it might be the wrong person for anything that he knew.

2236. Did he say where he would give it to him?—When he came to the place where it was directed for.

2237. What was the postman's name?—His name was Pearson.

2238. Do you remember seeing Mr. Woollens that morning?—Yes.

2239. Did he come to the postman?—Yes, he did.

2240. Where was the postman at that time?—In our shop.

2241. Did Woollens speak to the postman?—Yes, he did.

2242. What did he say?—If there were any letters for any one that he could not make out, he was to leave them at his house.

2243. How did he speak that; in what tone of voice?—Rather lowish.

2244. Did he say anything about his housekeeper?—I think he mentioned his housekeeper, but I could not mention what he said more.

2245. While the postman was in your shop, did you see any of the letters yourself?—Yes.

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2246. And did you hear him read over any names?—Yes.

2247. How many sovereign letters do you think you saw?—I am sure I cannot tell how many there might be.

2248. About?—It would be above a score.

2249. How did you know that they were sovereign letters?—People came in, and called them by that name, or by the name of Lowther's letters; I do not know more.

2250. You say that he called over the names of some of the letters?—Yes.

2251. How do you know that they were sovereign letters, what makes you speak of them as sovereign letters?—I only know by what people called them.

2252. Did people come into the shop and inquire for those letters?—When he went out many of them called them Lowther's letters.

2253. Among the persons that came to your shop inquiring for Lowther's letters, or that you saw on that day making inquiries of the postman, were there any voters for Mr. Lowther, persons that you knew to be voters, by having been poll-clerk?—I saw some letters directed to persons that I knew had polled for Mr. Lowther.

2254. Plumpers?—Yes.

2255. About what number?—I should think there would be nearly a dozen that I knew myself.

2256. What district were you engaged as poll-clerk for?—Walm-gate.

2257. Your own ward?—Yes.

2258. While you were engaged in taking the poll for that ward, did you see any drunkenness among the voters?—Yes, there was.

2259. Much or little; much, as compared with what decent people ought to be when they go up to poll, not as compared with York?—I think there was much.

2260. What created your doubt; were you comparing the last election with former elections, in your own mind?—No.

2261. You think there was a great deal of drunkenness?—Yes.

2262. Among whose voters was this drunkenness; was it among the voters for all parties, or confined to one or two parties?—I think it was Mr. Lowther's.

2263. You say you think; have you any doubt about it?—I am certain.

2264. Do you remember a man named James Balwick?—Yes, I do.

2265. Whose voter was he?—Mr. Lowther's.

2266. What impresses his case upon your mind?—He came very tipsy; they did not think him at all fit to vote; the bribery oath was put to him, and he could not understand what they said; he kept muttering and making a noise, and they did not think he was fit to vote.

2267. Who thought that?—The deputy-sheriff; and we had a deal to do; we persuaded him to go away till he was in a more proper state.

2268. Did he come again?—Yes.

2269. Who brought him?—Mr. Lowther came with him.

2270. How long afterwards?—It might be half-an-hour.

2271. What did Mr. Lowther do?—He urged them to take his vote, and thought he was in a proper state.

2272. Was he admitted?—Yes.

2273. How did he poll?—He polled for Mr. Lowther.

2274. A plumper?—Yes.

2275. When people inquired for letters, what did they say?—They said, Is there a letter for me.

2276. Anything else?—No, not in my shop; not while the postman was in.

2277. Supposing there were no letters for them, what did they say?—They expected there was.

2278. Did they say so?—Yes.

2279. What ground did they give; did they tell the postman?—Yes; they said that others had got it that had polled for Mr. Lowther, and that they thought they ought to have got the same.

2280. Did they say they had polled for Mr. Lowther?—Yes.

2281. Do you know —— ——?—Yes.

[The Witness withdrew.

Mr. *Wrangham* objected to the evidence being gone into with respect to —— ——, on account of his not having been served with a notice.

Mr. *Hill*

Mr. *Hill* contended that the evidence was admissible, and relied upon the former decision of the Committee with respect to the case of Robert Ellison. Mr. *P. Watson.* 11 August 1835.

The Committee-room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee had resolved that the Counsel be informed that they are not to be allowed to criminate by name any individual not included in the list, unless specially permitted to do so by the Committee; that the evidence might be gone into affecting an individual without mentioning his name; and that in case the Committee thought proper, the name should be subsequently asked.

Mr. *Percival Watson* was again called in; and Examined by Mr. *Hill*, as follows:

2282. Did any resident of Walm-gate apply for a letter which he did not receive; do not tell us his name?—Yes.

2283. Did that person tell you that he had been to anybody to make inquiry?—Yes.

2284. To whom?—Mr. Hudson.

2285. Mr. George Hudson?—Yes.

2286. Who else?—Mr. Charles Woollens.

2287. Did he tell you what occurred after he had made inquiries of Mr. George Hudson and Mr. Woollens?—No.

2288. Did he tell whether he had got anything?—Yes.

2289. What did he tell you he had got?—He said he had got a parcel with two sovereigns in it.

2290. Did he show you the parcel and the sovereigns?—He showed me the parcel.

2291. Were the sovereigns in it?—It was tied up then; he had not opened it.

2292. Did he open it in your presence?—No.

2293. Could you tell whether there was anything in it?—No.

2294. What did he say about it?—He said it had come at last, and he told me what it was afterwards.

2295. Describe it to the Committee.—It was, I think, wrapped in a kind of whity-brown paper.

2296. Did you see the direction?—I did see the direction too.

2297. Was it directed to him by name?—Yes.

2298. And was his residence given?—Yes.

2299. And he took it away, did he?—Yes.

2300. Did you see him afterwards?—Yes.

2301. Did he tell you what was in it?—Yes.

2302. What did he say was in it?—He said there were two sovereigns in it.

Cross-examined by Mr. Wrangham.

2303. He did not tell from whom he got it, did he?—No.

2304. You say you saw some of Lowther's party drunk at that election?—Yes.

2305. Which party are you yourself?—I am of no party.

2306. You were a poll-clerk?—Yes.

2307. How did you get appointed poll-clerk?—I applied to the under sheriff.

2308. Who else applied for you?—My father.

2309. Is your father a man of no party?—Yes, he is, I believe.

2310. Which party is he of?—He is not of Mr. Lowther's party, I believe; but I am of no party.

2311. Was he not a committee-man of Mr. Dundas's?—He was not to my knowledge.

2312. Do you know that he was not?—I do not know that he was.

2313. Do you know that he was not?—He never went to any of the committee meetings that I know.

2314. He is of the other party, at all events?—Yes.

2315. He is the owner of the shop?—Yes.

2316. I suppose

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2316. I suppose the people of Walm-gate know his politics pretty well?—I dare say they do know them.

2317. Mr. Woollens would not be ignorant of what his politics were?—Very likely.

2318. Very likely that he would or would not?—Very likely that he would know them.

2319. Have you any doubt that anybody that takes part in elections knows that your father is an Orange?—I do not doubt that many of them do; all of them do not.

2320. Mr. Woollens lives in the neighbourhood, does he not?—Yes.

2321. Close by?—Not far off.

2322. Have you any doubt that Mr. Woollens was aware what party your father was?—I have not any doubt.

2323. And yet you tell us that he comes into your father's shop, to talk to the letter-carrier about those Blue letters?—Yes.

2324. Where were you in the shop when Mr. Woollens was there?—I was behind the counter.

2325. Where was he?—On the other side of the counter, in the body of the shop.

2326. Where was the letter-carrier?—Close beside him.

2327. How far might you be from him?—Not much further than I am from you.

2328. You say that he spoke in a lowish tone?—Yes.

2329. Did he wish to conceal it?—I do not know; he said it rather lowish.

2330. But he chose a spot to make this communication close to you?—That was where he was standing, he was not close to me, there was the counter between us.

2331. You say that he was as near as I am to you?—I should think that he would not be as far off again as I am from you.

2332. He was quite within earshot of you?—Yes.

2333. Whatever he said you must hear?—Yes, without he said it quite in a whisper.

2334. This he did not say in a whisper?—No.

2335. You heard him plainly?—Yes.

2336. He must have seen you, I suppose?—Yes.

2337. Did you hear the postman say anything to him?—He was reading over the names and mentioning the names.

2338. What names?—The names that were on the letters.

2339. Did he read anything else that was upon the back of the letters to Mr. Woollens?—No.

2340. Anything about there being on the back of the letter a direction that the letters should be left at Mr. Woollens', if the parties were not found?—No, he did not say anything of that.

2341. Were you so near him that if he had said so, you must have heard it?—Yes.

2342. That you are quite sure of?—Yes.

2343. You remained standing in this place at that time?—Yes.

2344. *Committee.*]—Was your father as near Mr. Woollens as you?—He was not in.

2345. Your being of no party in politics, Mr. Woollens would have no suspicion of you?—I do not know what he may have.

2346. Mr. *Wrangham.*]—Then you say you saw about a score of letters?—Yes.

2347. Did you read the direction of them?—I did not read them all, I saw them.

2348. How came you to read them?—They were before me, and he asked me where some of those persons lived, and I told him.

2349. You saw a number of letters in the man's hand?—Yes.

2350. Had you those in your own hand?—No, he would not let me touch them.

2351. Did you want to touch them?—No, he prevented other persons, so I thought he might do the same with me, if I wanted it.

2352. Then you never had them at all in your hand?—No.

2353. What do you know of the letters, except that there were letters directed to people there?—I know nothing more, except what people said.

2354. You cannot say whether the letters contained coin?—No, I cannot.

2355. *Committee.*]—You did not see one opened?—No.

2356. Mr. *Wrangham.*]—How long might he be in your shop?—I should think near 10 minutes.

2357. Was anybody with him?—There was another postman came in.

2358. Do you know who he is?—I do not know what they call him.

2359. Have they any dress in York?—No; he delivers letters out of the bar.

2360. This other postman?—Yes.

2361. Was he present during this conversation?—Yes.

2362. Was he standing close to his comrade?—Yes.

2363. Then I suppose he must have heard it if it took place?—I suppose he must.

2364. Have you any doubt that he must, if it was within ear-shot?—No.

2365. Did you see upon the direction of any of those letters anything besides the names and directions of those parties?—No, I did not.

2366. What was the postman doing all those 10 minutes he was in the shop with you?—Looking them all over.

2367. Where is your shop; in Walm-gate?—Yes.

2368. In what part of Walm-gate?—It is not half way up the street.

2369. It is a good way up the street?—Yes, it may be perhaps a quarter along it.

2370. Did the postman seem in a great hurry, when he was staying 10 minutes in your shop?—Yes.

2371. He staid 10 minutes in the shop, being in a hurry?—Yes, he was in a hurry too.

2372. Did you have any talk with him?—No; no more than answering him questions.

2373. He asked you where those people lived?—Yes.

2374. Do you know a person of the name of John Slater?—What is he?

2375. A fellmonger, in Walm-gate.—I know a Slater, but I do not know whether they call him John.

2376. Do you know a person of the name of Kile?—Yes.

2377. Do you know of their making any payments?—Not any.

2378. They were both of the Orange party, were they not?—Yes, I believe they were.

2379. Have you never heard of their paying the Orange voters?—I have heard that some have been paid, some few.

2380. Have you heard that any have been paid by them?—No, I have not.

2381. But you have heard of payments being made?—I heard of one or two that had got something.

2382. On the Orange side?—Yes.

2383. One or two of the voters?—Yes.

2384. Mr. *Hill.*]—Do you know their names?—No.

2385. Mr. *Wrangham.*]—How did you hear it; was it the talk of the place?—I heard a neighbour say it.

2386. But you do not know who paid in that district of the Orange party?—No, I do not.

2387. You have never heard that, have you?—No, I have not.

2388. Are you quite sure of that?—Quite sure.

2389. *Committee.*]—Did you ever hear any inquiry for Dundas's letters?—No.

2390. Mr. *Hill.*]—Or Barclay's letters?—No.

2391. *Committee.*]—Did you ever hear any inquiry for Orange letters?—No.

2392. Mr. *Wrangham.*]—I suppose you know that letters can go by other conveyances than by the post-office?—I suppose so.

2393. *Committee.*]—Did neighbours tell you of more than one or two?—No; I heard no more.

2394. Could you specify the persons who had it?—No, I did not hear their names.

2395. Could you specify the persons who told you?—No, I do not recollect.

2396. Into the shop of yours, voters and their wives came and asked for letters?—Yes.

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2397. And you know that they were voters?—Yes.

2398. Did Mr. Woollens say anything about housekeepers?—He mentioned something about a housekeeper.

2399. That you did not hear?—No.

2400. Did you hear the word housekeeper?—Yes.

2401. And that dwelt on your memory?—I heard that, and I recollect that.

2402. Were you at the nomination?—Yes.

2403. For whom was the show of hands in favour?—Mr. Dundas, I believe.

2404. And who else?—Mr. Barclay.

2405. Did you put up your hand?—No, I never had anything to do with it.

2406. Mr. *Wrangham.*]—You told us this story about some voter coming up to vote, and being objected to on account of being drunk, and Mr. Lowther, when he came back, came to support his right of vote?—Yes.

2407. Did not Mr. Dundas come to oppose it?—I do not know whether Mr. Dundas was in the room.

2408. Cannot you say?—I cannot say, or I would.

2409. Did Mr. Henry Chellener, the clergyman, come with Mr. Dundas?—Mr. Chellener was in the room.

2410. Was he not opposing the vote?—Yes; I think he was saying something.

2411. Try and refresh your memory, and say whether Mr. Dundas was not saying something too?—I am sure I cannot say.

2412. Think a bit; you remember Mr. Lowther coming?—I cannot recollect.

2413. Can you tell us whether the vote was admitted after the argument?—Yes, it was.

2414. Was that the vote that the under-sheriff was sent for to decide; did the under-sheriff come?—I do not know; I rather think so; but I will not be certain whether he was there or not.

2415. Whether it was the under-sheriff or deputy-sheriff, it was decided that the vote ought to be admitted?—Yes.

2416. Who was the deputy-sheriff?—Mr. William Hotham.

2417. He is not a Blue?—I am sure I do not know what he is.

2418. You know what all the gentlemen are in York?—Indeed I do not know. I believe he is not; but I am sure I do not know.

2419. Your belief is that the sheriff was the other way of thinking?—He decided very fairly. I cannot tell by anything that he did there what he was.

2420. Then in your judgment it was fair the man should be admitted a voter?—As to that I do not know.

2421. The deputy-sheriff decided very fairly, you say?—During the time he was deputy-sheriff.

2422. The person who acted fairly in all points decided this?—He was in a way forced to take that vote.

2423. How forced?—Mr. Lowther said so much.

2424. How could Mr. Lowther force the sheriff to do this; was it the force of argument?—Yes.

2425. Is that all what you call being forced?—The force of argument went towards it.

2426. Is that what you mean?—Yes.

2427. His arguments were so strong that there was no resisting them?—They were certainly very strong.

Re-examined by Mr. Hill.

2428. Was it that sort of strength that we call bullying sometimes?—I do not know.

2429. *Committee.*]—Did you think the man ought in fairness to have been rejected or admitted to vote?—I thought he ought to have been rejected.

2430. Mr. *Wrangham.*]—You were forced by Mr. Chellener's argument?—No.

2431. You heard Mr. Chellener argue on the other side?—Yes.

2432. *Committee.*]—But you had nothing to do with deciding the vote?—No.

2433. You stated that this person who lived in Walm-gate told you that he had got a parcel; how did he say the parcel came?—By coach.

2434. By what coach?—He did not say what coach.

2435. Did he say from what coach-office?—No, he did not.

2436. You say he showed you a parcel; was there any mark upon the parcel?—I am sure I cannot say, I did not notice that.

2437. As

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2437. As to what passed in the shop when the postman was there with his letters, did you state that there was another person in the shop at the time, who wanted to touch the letters, and the postman would not let him?—Yes.

2438. Who is that person?—Green.

2439. Who is Green?—He is a cooper.

2440. Was there a letter for him?—Yes.

2441. And he applied for the letter in your shop?—Yes.

2442. And received it in your shop?—No.

2443. The postman said that he might be the wrong person, did he?—Yes.

Mercurii, 12° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Robert Shepherd, called in; and Examined by Mr. *Hill,* as follows:

Robert Shepherd

12 August 1835

2444. ARE you a porter in the coach-office of Mr. Robert Cattle, of York?—Yes.

2445. Do you happen to know whether Mr. Cattle was one of Mr. Lowther's committee at the last election?—Not that I know of; I believe not.

2446. Do you know anything about it, one way or the other?—No.

2447. Is it the Mr. Cattle who was the treasurer of Mr. Bayntun's committee in 1830?—I do not know that.

2448. But he keeps a coach-office?—Yes.

2449. Is he a Blue?—I believe he is.

2450. Have you any doubt about it?—No.

2451. Did you deliver parcels about the latter end of April last?—I deliver parcels every day.

2452. Did you deliver a sort of parcel that you had not been much in the habit of delivering before?—Not that I know of.

2453. Now we will see. You say you deliver parcels every day; are they parcels that come by the coach?—Yes, most of them.

2454. How do the others come?—Perhaps a gentleman will give me a parcel to deliver, that comes a passenger by the coach, and we deliver it.

2455. About the latter end of April, or the beginning of May, had you one day a large number of small parcels, all about the same size?—There was a number of small parcels given to me to deliver.

2456. Who gave them to you?—The book-keeper.

2457. Who is he?—His name is Thomas Riley.

2458. Did he tell you by what coach they had come?—No.

2459. What did he say to you when he gave them to you?—He ordered me to deliver them.

2460. Was that all he said?—Yes.

2461. How many were there?—I do not know exactly.

2462. I do not ask you exactly; how many were there to the best of your knowledge?—Between 30 and 40.

2463. Or perhaps 50?—Not so many as that.

2464. Can you say decidedly that there were not 50?—I cannot say decidedly.

2465. There may be 50?—There may be; but I think not.

2466. How many do you think there were?—There might be between 30 and 40.

2467. That is the best of your belief, is it?—Yes.

2468. Were those pretty much of a size?—Some were larger than others.

2469. Were there two sizes among them?—Yes, there was.

2470. Those parcels were directed, were they?—Yes.

2471. Had they any mark upon them, as having come by any coach?—No.

2472. Was there any carriage mark?—No.

2473. Have you given me all that Mr. Riley told you, when he gave you those parcels?—Yes.

2474. Just recollect his words as near as you can; what did he say?—He ordered me to deliver them.

2475. Did he say, "Here are 40 or 50 parcels; will you deliver them?"—He did not give them to me all at once.

2476. How many did he give you the first time?—Twelve or 14; I cannot say exactly.

2477. Can you tell what day it was?—I cannot.

2478. What day of the week?—I cannot.

2479. Was it in the morning?—Yes; I had them to deliver with my other parcels, and I started at about nine o'clock.

2480. Do you deliver parcels always in the morning?—Yes; I start about nine.

2481. Do you make a regular number of deliveries in the day?—We deliver from all coaches.

2482. Do you deliver a certain number of times in the day?—No; we deliver them as the coaches bring them in; sometimes we have more, and sometimes less to deliver.

2483. My question is this; have you a certain number of times in the day in which you go out to deliver parcels?— No, not exactly.

2484. At first you had about a dozen given you?—Yes, somewhere thereabouts.

2485. Where those dozen confined to a district?—No, there were different places.

2486. All over York?—No, not all over York.

2487. In what part of York were they to be delivered?—I cannot say; there were different parts of York, but not all over.

2488. Were they all on one side of the town?—No.

2489. How large were those parcels; just take a piece of paper and show the Committee how large they were?—About that size (*three inches square*), and some larger.

2490. You said there were two sizes; give us the other?—Some about that size, (*a small degree larger.*)

2491. You say that he gave you a dozen, and ordered you to deliver them; did he not say where they had come from?—No.

2492. Nothing about that?—No.

2493. Did he say how you were to be paid for them?—He ordered me to get 2 *d.* each for them for myself.

2494. Come, you have recollected something more that he told you; you could not remember it at first; did he say anything else?—Not that I know of; I do not recollect.

2495. Have you ever had parcels from Mr. Riley before in that way, in which there was no carriage charged?—Yes; he has given me parcels that have come by passengers.

2496. Did he ever give you a dozen at a time?—No.

2497. Only now and then a stray parcel, that has come by a passenger; is that so?—Yes.

2498. Did you not ask him, this being an extraordinary occurrence, how those parcels had come to York?—No.

2499. Are you quite sure you said nothing of that sort then?—He did not say anything to me.

2500. What did he say in your hearing?—He ordered me to deliver the parcels.

2501. That he said to you; did he say anything in your hearing about how they had come to the office?—No; I believe he did not know how they had come.

2502. How do you know that he did not know how they had come?—I do not know how he knew that.

2503. Did he say so?—He did not to me.

2504. Did he say so to anybody in your hearing?—No.

2505. How do you know that? You are come to tell the whole truth, just as much as if you were upon your oath.—

Chairman.]—You must remember, Witness, that the House of Commons expects you to tell the truth.

Mr. *Hill.*]—What made you tell me that Mr. Riley did not know where those parcels came from?

Answer.—It is not agreeable to answer.

2506. But you must anwer.—

Chairman.]—You are bound to answer every question that does not criminate yourself.

Mr. *Hill.*]—The House of Commons has power to make you answer.

Answer.—Mr. Riley did not say anything to me about those that had come.

2507. That is the answer you gave before, and therefore that is not the answer that it is not agreeable to give; will you give your disagreeable answer; you must not conceal anything here?—Mr. Riley did not know, he said, how they came.

2508. Mr. Riley told you that he did not know how they came; is that so? Did he say so to you?—Yes, he did.

2509. Let me remind you that you have prevaricated already; you have contradicted yourself already. Are you aware that you have told us 10 minutes ago, that Mr. Riley had never said, in your hearing, that he did not know how the parcels had come; and are you aware that you have just said that he did say, in your hearing, that he did not know how the parcels had come? Which of those assertions is true, and which false; the assertion which you first made, that Mr. Riley had never said, in your hearing, that he did not know how the parcels had come, or the assertion which you have just made, that he did say, in your hearing, that he did not know how the parcels had come?—That he did say that he did not know.

2510. Tell me the reason why you told the Committee that he did not say so; tell me the reason why you told the Committee a falsehood?—Because I had forgotten what he said.

2511. Is that the answer that it was disagreeable to you to give; it was not agreeable to you to state that Mr. Riley had told you that he did not know how the parcels had come?—No, it was not disagreeable to me.

2512. What answer was it to which you referred when you said you were not agreeable to give an answer upon the subject?—I did not know what you meant.

2513. Do you mean to say that you did not know what I meant, when you said that it was not agreeable to you to answer?—Yes.

The previous question and answer were read.

2514. What did you mean by telling the Committee that it was not agreeable to answer; can you give any explanation of that to the Committee?—No; I do not know what it means.

2515. You do not know what your own answer means?—Yes.

2516. Is that all the explanation that you can give to the Committee?—On that account.

2517. You had a dozen parcels given to you upon this occasion; give me the names of any persons to whom you delivered any one of those dozen parcels?—There was a Mr. Giles in Clifton.

2518. What trade is he?—Farmer, I believe.

2519. That is one?—I am sure I cannot give the names now.

2520. Give me another name; it is very hard if you cannot tell me above one out of a dozen in such an extraordinary occurrence as this?—

Chairman.]—Witness, you must not trifle with the Committee.

Answer.—There was a Mr. Ellis at Clifton.

2521. What is he?—He is a farmer.

2522. This is out of York, is it not?—Yes.

2523. Did you deliver one of those parcels to anybody else in Clifton?—I cannot think of their names, not now.

2524. Yes, you can?—I cannot indeed.

2525. How many did you deliver in Clifton?—Four or five, I think.

2526. How far is that from York?—It is a short mile.

2527. Can you give me any other names in Clifton?—I cannot recollect at present the names.

2528. Did you deliver any to William Bellaby?

Mr. *Wrangham* objected to this line of examination.

The former resolution of the Committee was read respecting not criminating parties by name.

2529. Did you see any of those parcels opened?—Not to my knowledge.

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2530. I am not speaking now of the dozen which you delivered first, but of the 30 or 40?—There was one man opened one, I saw.

2531. What was there in it?—I did not see what was in it; he opened it as he was going on.

2532. Did he tell you what was in it?—No.

2533. Who is that man?—I think his name is Lund.

2534. Do not you know what was in those parcels?—Not exactly; I thought there was money in them.

2535. What made you think there was money in them?—By the feel of them.

2536. Had you no conversation with any persons to whom you delivered those parcels at all?—Not about the parcels.

2537. Were you ever asked by persons if you had parcels for them?—Yes.

2538. What did they call the parcels?—They asked me if I had a parcel for them, and I said, No.

2539. Did they not say what sort of parcel?—No.

2540. Did they say Lowther's parcel, or a Blue parcel?—If they mentioned a Lowther parcel, I said, No.

2541. Did they, or did they not, at any time ask you for Lowther's parcels?—No.

2542. What do you mean by saying, "If they mentioned Lowther's parcels?"—If they asked me if I had any parcel from Mr. Lowther, I said, No.

2543. Did they ask you whether you had a parcel from Mr. Lowther?—One or two did, and I said, No.

Chairman.]—Witness, you must know that if you contradict yourself, the House of Commons has the power of sending you to prison; this is the third time you have contradicted yourself.

2543*. Mr. *Hill.*]—Do you mean to say, that when you brought those little parcels to people's houses, upon which no carriage was to be paid, you had no conversation with them about the parcels?—I did not stop for that.

2544. Answer me plainly, Yes or No. In all those 30 or 40 cases, do you mean to say that you left the individuals to whom you gave the parcels, without any conversation upon the subject of those parcels?—No; they might talk, but I did not ever answer them anything but that.

2545. What did they say to you about the parcels, whether you answered or not?—They said nothing to me about the parcels.

2546. Not in any one of those 30 or 40 instances in which you delivered the little parcels? Now, take care what is your answer; do you mean to stand to it, that no one individual out of those 30 or 40 said anything to you about the parcels, or about his parcel?—There were some of them talked about them, and I always told them that I knew nothing about them.

2547. *Committee.*]—What did they say to you about them?—They said they were Lowther parcels, or something of that.

[The Witness withdrew.

Mr. *Hill* made a special application to the Committee, that under the circumstances, the witness being such an unwilling witness, the names of the parties that received the letters should be asked of him.

The committee-room was cleared.

After some time the Counsel and parties were again called in, and informed that the Committee had decided that the question should be put.

Robert Shepherd again called in; and Examined by Mr. *Hill*:

2548. Did you deliver a parcel to Robert Bellaby, at Clifton?—No.

2549. You did not?—No.

2550. Did you deliver one to William Bellaby, of Clifton?—No.

2551. To George Cast?—Yes.

2552. What is he?—He is a farmer, or a farming man, I believe.

2553. Did you deliver one to Thomas Hodgson?—Yes.

2554. Is he a farmer, or farmer's man?—He is a farmer's man, I believe.

2555. To John Doughty?—Yes.

2556. Who is he?—He is a farmer's man, I believe.

2557. To George Ellison?—Yes.

2558. What is he?—He keeps cows.

2559. Does

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2559. Does he hold land also?—I am sure I do not know.

2560. Is he a farmer?—I believe he is not a farmer at present; he was a farmer.

2561. Richard Farrow?—Yes.

2562. What is he?—He is a farmer and cowkeeper.

2563. James Kitching, jun.; the younger Kitching?—Yes; I think there was one for him.

2564. Are you not sure of it?—I am not positive, but I think there was.

2565. What is James Kitching, jun.?—I believe he is with his father; I do not know what he is.

2566. What is his father?—His father keeps a farm.

2567. John Kay; did you deliver one to him?—Yes.

2568. Richard Lambert?—Yes.

2569. You began by telling us that you delivered four or five in Clifton; you have now given us the names of eight persons to whom you delivered parcels in Clifton; did you deliver any more than those eight?—No.

2570. Did you deliver one to William Lund, Groves?—No.

2571. Are you quite sure of that?—Yes.

2572. I mean William Lund living at Groves?—No, not for William Lund, I had not one; but I had one for John Lund, I believe he is.

2573. Where does he live?—He lives at Stockton.

2574. Did you go to Stockton to him?—No.

2575. Where did you find him?—I told his brother.

2576. Is William Lund his brother?—Yes.

2577. Did you deliver it to him?—No; John Lund came to fetch it.

2578. From where?—From my house.

2579. Had you taken it anywhere?—I went and told his brother that there was a parcel for his brother at Stockton.

2580. Did you tell him what sort of parcel it was?—I told him it was a small parcel for him.

2581. Did you give the brother any idea of what parcel it was?—No.

2582. Did you tell the brother that you thought it was money, by the feel?—No.

2583. John Merchant, of Clifton?—I think he was one; no, he was not one.

2584. Was he or was he not?—He was not.

2585. Thomas Peacock?—I am sure I cannot speak to that, because I do not recollect his name.

2586. Did you deliver any parcel at Clifton to any person of the name of Peacock?—I am sure I cannot say whether I did or did not; I think I did.

2587. Thomas Pratt?—No.

2588. Any person of the name of Pratt, Thomas or John, or any other Christian name?—I am sure I cannot recollect all the names.

2589. That is no answer to my question; did you or did you not deliver one to any person of the name of Pratt?—I wish that I had put them down, and I could have told you.

2590. I wish you had; now answer to the Committee?—I believe I did not.

2591. But you cannot be sure?—No, I cannot.

2592. John Scruton?—Yes, there was one for John Scruton.

2593. Thomas Scruton?—Yes, there was one for Thomas.

2594. And William Scruton?—No, I think not.

2595. Not one for William Scruton?—No; I do not know what they call him.

2596. Did you not deliver parcels to three Scrutons?—Yes.

2597. John Shepherd; did you give him a parcel?—Yes.

2598. William Snarey?—Yes, to William Snarey.

2599. William Ware?—Yes, and William Ware.

2600. Benjamin Wood?—I think there was not one for Wood.

2601. Thomas Walker, the gardener?—No; I think there was not one for him neither.

2602. Do you know the man?—No, I do not.

2603. Did you deliver any to a person, or at a person's house, of the name of Walker?—I think not.

2604. Do you know the Rev. Mr. Currer's gardener?—No.

2605. Did you deliver one at the Rev. Mr. Currer's, for his gardener, or any servant of his?—I did not.

2606. Those are all Clifton people, are they?—Yes.

2607. And

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2607. And you delivered all those the first day, did you?--No; I cannot speak to that of the first day, because sometimes they did not give them all in one road together.

2608. Did you go to Clifton with those little parcels more than once?—Yes, I went twice.

2609. Did you deliver one at Clifton to James Moss?—Yes.

2610. Having called your attention to those persons, tell me, were there not more persons at Clifton to whom you delivered parcels than you have mentioned?—No.

2611. You have told me all?—Yes.

2612. How many of those did you deliver the first day?—I am sure I cannot tell to one or two; I delivered them all in two days.

2613. About what proportion of those which you have mentioned to us, did you deliver the first day?—Perhaps about half of them; but I do not know.

2614. What other district did you go into the first day besides Clifton?—I think I did nothing that first day but Clifton; not then.

2615. Let me remind you of what you told me in the outset, that you received a dozen, and that four or five you delivered at Clifton on the first day; is that correct, or do you wish to correct that answer?—I wish to correct that.

2616. Tell us what the truth is upon it; did you deliver all that you received the first day at Clifton?—No; they were not all for Clifton.

2617. Where were the others for?—In parts of the town.

2618. How many of those that you received the first day were for parts of the town?—I am sure I do not know exactly.

2619. I do not ask exactly, a dozen or half-a-dozen?—I cannot speak to it exactly, how many there was.

2620. What part of the town did you go to first, when you set out; did you go to Clifton first?—Yes.

2621. Did you go to any other outlying place except Clifton?—No.

2622. Then you came back into the town?—Yes.

2623. What was the first parcel you delivered in the town?—I am sure I do not recollect the other names.

2624. Do you remember the district?—There was one or two for Gilly-gate.

2625. Tell us any name of a person to whom you delivered a parcel in Gilly-gate?—If names were mentioned, I could tell.

2626. Come, tax your memory, and give us a name in Gilly-gate?—There was one for Snarey.

2627. This is another Snarey in Gilly-gate?—Yes.

2628. What is his Christian name?—William.

2629. What is the trade of this man?—He is a labouring man, a working man.

2630. Did you deliver a parcel to William Snarey at Gilly-gate, or at Clifton, and which is it?—I delivered to William Snarey, at Gilly-gate.

2631. Is it on the side of the city next to Clifton, Gilly-gate?—Yes, it is.

2632. Give us another name in Gilly-gate?—I do not recollect the names now.

2633. What was the trade of the person?—There were three in Gilly-gate.

2634. What trade was he, give us some notion of it?—There was one for Meek.

2635. What is Meek?—A cartwright.

2636. Any other?—I do not recollect any other name.

2637. You have but one to recollect; you remember, there were three; cannot you recollect the trade or anything about them; was it another Meek, was it John Meek, the coal-merchant?—No, it was not.

2638. Are you quite sure that it was Meek, the cartwright, and not John Meek, the coal-merchant, you delivered the parcel to?—It was Meek, the wright, I believe.

2639. Are you sure of it?—Yes.

2640. You said you had delivered one to Makin?—No, I did not.

2641. Where did you go out of Gilly-gate?—I went to the office again.

2642. Did you deliver any more that day?—I am sure I cannot speak to that now, for I had them, part of them, in my pocket a good deal, and I delivered them as I went on.

2643. After you went back to the office you had part in your pocket?—Yes.

2644. Could you not find the parties?—I had not been there.

2645. In the course of business, you would deliver them in the after-part of the day?—Yes.

2646. Did

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2646. Did you do so?—I delivered two or three in the afternoon.

2647. To whom?—I delivered one to Rhodes, in Redeness-street.

2648. What is he by trade?—He is a working man.

2649. It is next to the Duke of York-street, is it not?—It is this side of the Duke of York-street.

2650. It adjoins the Duke of York-street?—Yes, it does.

2651. Give me another besides Rhodes, in Redeness-street?—There was another in Redeness-street, but I cannot remember the person's name.

2652. What is he by trade?—A brickmaker, I believe.

2653. I will ask you about him presently; you have told us two out of three, Rhodes and the brickmaker; and who was the other?—I cannot recollect now, I cannot indeed.

2654. Is that your first day's work?—Yes.

2655. Did you receive any more parcels on the first day, besides those that you received about nine o'clock?—No.

2656. When did you receive the second set of parcels?—The next morning.

2657. How many did they consist of?—I am sure I cannot tell how many there were.

2658. Can you tell whether there was one or 100?—Perhaps there might be 20, but I do not know exactly.

2659. Who gave you those?—Mr. Riley.

2660. Did he say anything to you?—He ordered me to deliver them, as he had done the other parcels.

2661. In the same words?—As well as I recollect.

2662. You had a dozen parcels of this extraordinary kind on the first day, and as nearly as you can remember, 20 on the second; did you ask him any questions about them?—I asked him if they were of the same sort.

2663. What did you mean by the same sort?—The same as the day before.

2664. What sort did you refer to?—The small ones.

2665. He showed them to you, and you could see whether they were small or large, and that could not be the meaning; what did you men by asking if they were of the same sort?—Because he had them all together.

2666. As far as size was concerned, you could see what sort they were, and therefore you had no occasion to ask any question respecting that; what did you mean by asking him if they were of the same sort?—Because they felt the same as the others.

2667. And therefore you need not have asked that; I want to know what you wanted to get out of Mr. Riley?—I did not want to get anything out of him.

2668. Why did you ask the question of him?—I wanted to know whether they were of the same sort as the others, at least if they were just as the other parcels were, and he said, Yes.

2669. That is all you said?—Yes.

2670. Were you not very much surprised at having a dozen parcels without any carriage charge, in one day, and 20 the next day?—Yes.

2671. But though you were very much surprised, you did not ask Mr. Riley anything about it?—I asked him those questions.

2672. "Are they the same sort as yesterday?"—Yes.

2673. Did you ask anybody else about them?—No.

2674. Did you never ask how they came to the office?—Yes.

2675. You say you were surprised at seeing them; did you not ask how they came?—I asked him where he got them, and he said it was nothing to me.

2676. Was that upon the first or second day that you asked that question?—The second day.

2677. When he said it was nothing to you, what did you say to that?—I said nothing more.

2678. Did you never ask him if all those parcels were brought by passengers that came by the coaches?—No, I did not ask him.

2679. You never asked him how it was there was no carriage charged upon them?—I asked him how he had got them, and he said it was nothing to me; that was all.

2680. Then you took them out; where did you take them to, what part of the town; did you go to Clifton that day?—No.

2681. On the second day you did not go to Clifton; did you deliver them all

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in the city part?—Yes, round about the outskirts; there was not many for the city.

2682. Can you tell us where you went, what outskirts you went to?—I am sure I cannot at present.

2683. You had 20 to deliver; you did not go to Clifton, and you did not deliver them in the city, but in the outskirts; what outskirts did you deliver them at; how far were they from the town?—There were some four miles off, but not that day.

2684. Do not tell us about it if it is not that day; how far from the town did you deliver the parcels on the second day?—There were different parts of the town.

2685. You have told us that you did not deliver any in the city?—In different out-parts of the town.

2686. Tell us one; I cannot suggest any names to you as long as you say the outskirts, and do not come to particulars.

Chairman.]—You must answer the question.

Answer.—I will as well as I can; I am not frightened from answering the question, but I cannot recollect.

2687. Mr. *Hill.*]—You have told us that you did not deliver any in the city, nor at Clifton, but at the outskirts; you had 20 to deliver, give the name of one district?—I am sure I cannot.

2688. Did you go to Stockton that day?—There were two for Stockton.

2689. For whom?—There was one for Lund, that I told you of before; and I do not know what the other name was.

2690. A Stockton man was it?—Yes.

2691. Was it Hartley?—Yes, I believe it was.

2692. Mr. *Wrangham.*]—Is this the second day that the one for Hartley came?—Yes.

2693. Mr. *Hill.*]—Richard Lund?—Yes; I said John Lund, but it was Richard.

2694. What other parts had you parcels for?—I cannot recollect.

2695. Do you expect to be believed when you say you cannot recollect?—If the name was mentioned, I could recollect directly.

2696. Had you any for Huarth?—There were some for Huarth, but I sent them on; I do not know their names.

2697. By whom did you send them?—By one of my boys.

2698. What is his name?—John Shepherd.

2699. Is he at York now?—Yes.

2700. How many were there for Huarth?—I am sure I do not know how many there were.

2701. Was there one, or half-a-dozen, or 12?—I cannot think of their names.

2702. I am not asking for the names, but for the number?—I think there were not above two.

2703. Oswaldwick?—Yes, there was one for Oswaldwick.

2704. It is very hard if you cannot tell us for whom that was?—I cannot tell the names.

2705. Did you deliver that yourself?—No, I sent that up.

2706. By whom?—I sent for the man, I told him.

2707. Did you see the man; did he come?—Yes.

2708. What was his name?—I cannot recollect the name.

2709. What sort of man was he?—A tallish man, I think.

2710. What trade was he?—A farming man.

2711. Tax your memory, and give us the name?—

2712*. Mr. *Wrangham.*]—All those are on the second day?—Yes; at least they were given to me on the second day.

2712. Mr. *Hill.*]—What is the name of this man at Oswaldwick?—I cannot recollect his name; it is not that I wish to keep anything back, I wish to answer as far as I can, but I cannot recollect the names; anything that I can remember I will answer; I am not frightened at keeping anything back.

2713. Fulford; did you have any on the second day for Fulford?—No, nothing.

2714. Had you ever any for Fulford?—No.

2715. Before I come to ask you more particularly about those delivered on the

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the second day, had you any more given to you?—I had them given to me three times.

2716. What was the third parcel delivered to you?—I believe there was a day elapsed between the second and the third.

2717. What did that third quantity consist of?—I do not know how many there were; whether there were 15 or 16, I do not know exactly.

2718. Where were those for chiefly?—They were in the town, some of them.

2719. And some out of the town?—Yes, on the outside of the town.

2720. Either the first, second or third time, did you receive any for the parish of Hakum?—No, there was nothing for Hakum.

2721. Not at any time?—No.

2722. Had you any for Akester?—No.

2723. Not at any time?—No.

2724. Any for Bishopthorpe?—No, I think not.

2725. Not at any time?—No, I think not.

2726. Dunnington?—Yes, there was one for Dunnington, I think.

2727. What was the name?—I do not know the name, unless you mention the name.

2728. Was it for any of the Lunds at Dunnington that you had a parcel?—No, I think not.

2729. Was it for Thomas Smith, the butcher?—There was one for a Smith, I think, of Dunnington.

2730. A butcher?—I do not know what his trade is.

2731. What is his Christian name?—I do not know what his Christian name is.

2732. Was there one for Michael Palfreyman?—Yes.

2733. He is a farmer, is he?—I think he is.

2734. Had you any for Elvington?—Yes, I think there was one.

2735. For Appleyard, or Atkin?—There was one for Atkin.

2736. One for Edward Atkin?—Yes.

2737. Is he a farmer?—I think he is.

2738. Was there any one for Holtley?—Yes, I think there was.

2739. Whom was it for?—I do not know.

2740. Leonard Smith?—I think it was for him.

2741. Huntington had you any for?—No, I think not.

2742. Are you quite sure you had none for Huntington?—I am not sure, but I think not.

2743. None for either of the Ettys?—Yes, there was.

2744. Was there one for John Etty, and one for William Etty also?—I think there was.

2745. Here he is; William Benjamin Lund, of Huntington, had you not one for him?—No.

2746. Do you know Cexby?—No.

2747. Not the place called Cexby?—No.

2748. Had you any for John Palfreyman, of Cexby?—Yes.

2749. And his son, John Palfreyman, jun. of Cexby?—There were either two or three for Cexby.

2750. Did you take those to Cexby?—I sought out for the man on Saturday, when he came to market.

2751. The persons for whom the parcels were directed you sought out for at York market?—Yes.

2752. You knew them?—I inquired for them.

2753. Did you deliver one to John Palfreyman, and another to John Palfreyman, jun.?—Yes, there were two.

2754. Mr. *Wrangham.*]—Do you mean to say that you have a recollection of the names of the parcels that went to Cexby?—I remember the names very well.

2755. You remember delivering to two persons of the name of Palfreyman?—Yes.

2756. Mr. *Hill.*]—Were there any for Marston?—I think not; no.

2757. Nor Angram?—No.

2758. Are you quite sure of that?—Yes.

2759. Do you know Nether Poppleton?—Yes.

2760. Had you any parcels for Nether Poppleton?—There were two for Poppleton, I think; I do not know the names.

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2761. William Tyndal, was that one?—Yes, I think that was one.

2762. Thomas Pickard, was that one?—No, I think that was not the name.

2763. Was Pickard the name?—Yes.

2764. You told me that you had one for Oswaldwick?—Yes, I think there was.

2765. Was it for Dubble?—Yes, it was.

2766. What is he?—A farming man.

2767. Had you any for Shipton?—No.

2768. Recollect?—None for Shipton.

2769. None for Charles Belwood, of Shipton?—No.

2770. Do you know Heslington St. Lawrence, about two miles out of town?—Yes.

2771. Had you any parcels for Heslington St. Lawrence?—No.

2772. None for the Bosses?—No.

2773. Are you quite sure?—Yes.

2774. Robert Kaye, a servant, a farming man, probably of Heslington; had you one entered for him?—No.

2775. Were there any for people living on Huarth Moor?—I think not.

2776. Were there any for Wharf Hill?—No.

2777. Are you quite sure?—Yes.

2778. Skelton?—No, nor for Skelton either.

2779. Are you quite sure there was none for Skelton?—Yes; there was none.

2780. Wiggington?—No, there was none for Wiggington.

2781. Were there any for Haxby?—Yes, there was one for Haxby.

2782. Whom was that for, was it for John Wells of Haxby?—Yes, it was the butcher.

2783. Any more for Haxby?—No.

2784. Deaton?—No.

2785. I have been asking you about the outskirts of the town, tell us any that you delivered at any time in the town itself?—I do not recollect any in the town, not the names.

2786. I have not asked you about the parish of Rufforth?—There were two.

2787. Did you deliver any to John Mortimer?—Yes, there was one for John Mortimer.

2788. John Mortimer, junior?—There was one for Mortimer; but I do not know whether junior or senior.

2789. Thomas Mortimer?—There were two for Mortimers, that is all there was.

2790. Do you remember the Christian names?—I do not indeed.

2791. Do you remember how many parcels there were for Rufforth?—There were only two.

2792. You have given us one or two names in the city, try your own memory, and recollect any other names that you can?—I cannot recollect the names, I am sure; it is not that I wish to object, but I cannot remember the names; any answer that I can, I will give.

2793. Were there any names in Walm-gate?—I think there were none for Walm-gate.

2794. Not for the whole of Walm-gate; consider, do you mean to say that there were none for the whole of Walm-gate?—I cannot remember the names.

2795. Were there parcels for persons living in Walm-gate?—I am sure I cannot recollect it.

2796. Goodram-gate?—There was one or two for Goodram-gate, I think two.

2797. Give the names of two?—I cannot indeed, I cannot recollect the name at all.

2798. Palmer, of Goodram-gate?—No; there was not one for Palmer, that I had.

2799. Do you know a man of the name of Palmer?—I do not indeed.

2800. Nobody of the city of York, living in York?—There is a Palmer in Navy-gate, but I did not give one to him.

2801. In Goodram-gate do you know a Palmer?—No.

2802. Do you know a man that goes about collecting rents and debts?—A stout man is he?

2803. About such another man as you are.—I do not know him.

2804. Do you know the man?—No, I cannot say that I do.

2805. Are you quite sure that you delivered none for Goodram-gate?—I said there were two for Goodram-gate, but I do not recollect their names.

2806. Did any other person from your coach-office deliver parcels of this kind, or were they all given to you?—They were all given to me.

2807. Is that like one of the parcels that you delivered—[*A letter being shown to the Witness*]?—Yes.

2808. Were they wrapped up in cartridge paper?—Some in cartridge paper, and some like this.

2809. Were they sealed?—Some of them, and some with a small cord round them.

2810. Just look at that, and see if it is one of the parcels?—I am sure I cannot say.

2811. What do you believe about it?—It may be one; I delivered two in Goodram-gate; but I cannot remember the names.

2812. Is this like one of those you delivered in Goodram-gate?—Yes, it is.

2813. Did you observe the directions of the parcels?—I looked at them, to know where to deliver them.

2814. Were many of them in that hand-writing?—I cannot say to the hand-writing, I am a very bad judge; I never could swear to the hand-writing of anybody.

2815. Does that bring to your mind delivering any in Goodram-gate?—I said I delivered two in Goodram-gate.

2816. Does that bring to your mind delivering any to Palmer?—I do not recollect the man at all.

2817. Do you remember the name at all?—No; I am sure I do not.

2818. How are you paid your wages at this coach-office?—I have so much a week, and what I can make by portering.

2819. When the parcels come by the coach, the porterage is charged upon the parcels?—I have nothing to do with the porterage of parcels.

2820. What do you mean by "portering?"—Carrying passengers' luggage from the coach.

2821. Then you do not keep the money that is paid for the porterage of the parcels?—No; it is charged upon the parcels.

2822. And you account for it to the book-keeper?—Yes.

2823. When the book-keeper gives you a parcel now and then, as you say he does, that has been brought by a passenger, do you receive porterage then?—Yes, I charge porterage upon it.

2824. Do you give that porterage to the book-keeper?—No; that is my perquisite.

2825. When you received this third batch of parcels, did you have any more conversation with the book-keeper?—Not any to signify.

2826. What was it?—I told him that I thought that they were the same sort of parcels as the others that he had got.

2827. Why did you tell him so?—Because they felt so.

2828. Did you say, "Why, these are the same sort of parcels as the others?"—Yes.

2829. What did he say to that?—He said that was nothing to me.

2830. He said that on two distinct days?—Yes.

2831. You cannot be mistaken about that?—No.

2832. And that was all?—Yes.

2833. Did you say that he laughed at the time?—Yes, he smiled at me.

2834. When was it that he told you he did not know where they came from?—When I got the first lot; I did not know that there were any more at that time.

2835. And he said he did not know where they came from?—Yes.

2836. If he told you that he did not know where the first lot came from, and the second lot were like it, how came you to ask him where they came from?—Because I thought there were so many of them.

2837. Though he had told you he did not know where the first lot came from, you asked him where the second lot came from?—Yes.

2838. And he said it was nothing to you?—Yes.

Cross-examined by Mr. Wrangham.

2839. You say you did not deliver this parcel to Palmer of Goodram-gate?—I do not say that I did not; I cannot recollect that I did.

2840. You have no recollection of having delivered a parcel to Palmer?—No.

2841. You mentioned the name of Mr. Meek, in Gilly-gate; are you quite sure that that was the Mr Meek, "the right," as you call him?—Yes.

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2842. Do you know Mr. Meek, the coal-merchant, residing in that street?—Yes.
2843. You are quite sure it was not to him?—Yes.
2844. He is a man of considerable property, is he not?—Yes.
2845. Do you happen to know whether he lives upon his own property?—Yes, he does.
2846. You have mentioned the names of a good many people at Clifton; there is Mr. Giles, for instance; you say he was a farmer?—Yes.
2847. Clifton is within the city, is it not?—No.
2848. Does he occupy a house and land there?—I believe he does; he keeps cows.
2849. Mr. Cast has a house and land?—I am sure I cannot say.

It was admitted that Mr. Giles and Mr. George Cast were registered for house and land.

2850. Thomas Hodgson you have mentioned; are you quite sure you delivered one to Thomas Hodgson?—Yes.
2851. What is he?—I am sure I do not know.
2852. You told us he was a farmer?—Yes.
2853. Do you know whether he is registered for house and land?—I cannot tell.
2854. Do you know whether he is a labourer or a farmer?—I do not know.
2855. How do you know he is a labouring man?—Because he looked like it.
2856. When you have been telling us of those people being labouring men, you judged by the outward garb?—Yes.
2857. John Doughty?—I do not know whether he is a gardener or what he is.
2858. You do not know anything about him?—No.
2859. You have told us that he is a farming man; do you mean that he wears a short jacket?—Yes.
2860. That is your notion of a labouring man?—Yes.
2861. What is your notion of a farmer in appearance; in what respect do they differ from the notion of a labouring man?—Next to nothing.
2862. And therefore a man may be a labouring man or a farmer for anything you know?—Yes.
2863. There is John Kaye, registered for house and land, what is he?—He keeps cows.
2864. Thomas Peacock?—I do not know what he is.
2865. John Shepherd is marked also in the register?—Yes.
2866. What is the usual porterage of a parcel?—It depends upon the distance it goes; 2 *d.* is the lowest.
2867. It depends upon the size of the parcel, does it not?—No.
2868. When were you summoned?—I had two summonses.
2869. When was the first?—The first was for me to be here on the 30th.
2870. When did you receive the summons?—It was a week before the 30th.
2871. That would be about the 23d of July?—Yes, somewhere thereabout.
2872. Have you got it?—No.
2873. What did it tell you to do?—To be up at London, at the House of Commons.
2874. To give evidence before this Committee, was it?—Yes.
2875. Was Mr. Riley summoned at the same time, do you know?—No.
2876. You cannot tell us exactly when you received the summons?—No; not the date I cannot.
2877. Can you tell us within a day or two?—Somewhere about the 23d.
2878. Then you delivered a certain number of small parcels upon three days, in and about the city of York?—Yes.

Re-examined by Mr. Hill.

2879. With whom have you been living since you have been up here, with Mr. Riley?—No.
2880. Have you not seen him?—I have seen him across the street.
2881. Have you not been at the same house with him?—No.
2882. Or Mr. Bailey?—No, nor Mr. Bailey either.
2883. Whom did you come up with?—Mr. Leadley.
2884. Have you seen the agents on the other side?—Yes, in the street.
2885. Have you had any conversation with them?—No.

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2886. *Committee.*]—When you delivered those parcels did you see the parties?—I asked for the persons to whom they were directed.

2887. And did you see the parties, and give the parcels into their hands?—Yes, most of them.

2888. Did you take from the person to whom they were addressed any acknowledgment that they had received them?—No, not any.

2889. And it is not the usual practice to require any acknowledgment from the party to whom they are addressed?—No; merely deliver them, and get paid for them.

2890. Did the book-keeper, when he delivered the parcels to you, take from you any acknowledgment that you had received those parcels from him?—No.

2891. Then, if instead of being an honest man, you had been a rogue, and you had put all those parcels in your pocket, would there be any means of detecting that?—I should hope so; I should not wish to do such a thing.

2892. How would the fact have been detected if you had taken all those sovereigns?—I cannot tell that.

2893. Did you believe the letters to contain sovereigns?—I believe the letters contained money, and I believe they contained sovereigns.

2894. You believed that at the time?—Yes.

2895. Did several of the parties apply to you for parcels?—Two or three did.

2896. So that if you had pocketed them there would have been an inquiry respecting them?—Yes.

2897. What made you believe that there were sovereigns in them?—By the feel of them.

2898. Can you distinguish by your feeling whether there was a sovereign or a shilling?—I cannot say.

2899. Was the paper in which they were wrapped very thick?—No.

2900. When you received a summons to attend this Committee to give evidence, did you go and speak to anybody upon the subject of the summons?—No.

2901. Did you not converse with anybody in York upon the subject of the summons before you came up?—No.

2902. Did you come away without leave of your master?—My master was not at York; the book-keeper gave me leave.

2903. Did he not know that you were coming to London?—Yes.

2904. You told him that you had received this summons?—Yes.

2905. How long is it since those parcels were delivered?—In April, I think.

2906. That is four months ago?—Yes.

2907. When you delivered those parcels, did you reckon that you should have to give a particular account of the persons to whom you delivered them?—No, I could not, because I had no book.

2908. If you had expected that, you could have fixed the particulars more precisely?—Yes.

2909. Is there any reason which would induce you to conceal the truth?—No.

2910. Had you any knowledge of the parties to whom you delivered those parcels before you delivered them?—Some of them I knew, and some I did not.

2911. Those that you knew you have mentioned?—I forget the names.

2912. Generally, when you deliver parcels you have a book?—Yes.

2913. But in this case you did not enter them in any book?—No; all the parcels that I deliver are put down in a book.

2914. What was the reason that you departed in this instance from the usual practice?—I had the letters given me without a book.

2915. Did not that excite your surprise?—That was what I mentioned to the gentleman there, that I spoke to him about, and Mr. Riley said I was to leave that.

2916. That excited your surprise?—Yes.

2917. And induced you to ask him what they were?—Yes.

2918. When you asked your master for leave to come up, did you explain the reason?—It was the book-keeper I had to ask, my master was not at home.

2919. Did any conversation pass between you?—I showed him the summons.

2920. Did he make any remark upon it?—No; I did not know what I was summoned for.

2921. He did not say anything to you when you showed him the summons?—No.

2922. What did the parties say to you when they applied for the parcels?—They

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They asked me if I had a parcel for them. If I had one, I gave them one; if I had not, I told them No.

2923. How many instances were there of applications to you?—Not above two or three.

2924. Were those persons that you knew?—No.

2925. What did they say?—They asked if there was a parcel for them.

2926. Had they seen you deliver parcels to anybody else?—They had.

2927. Did they say that they contained money?—No.

2928. What did they say when they opened the parcels before you?—I do not remember seeing more than one.

2929. What did that person say?—That it was all right; that was all.

2930. How many sovereigns were there?—He had them in his hand; I think there were two.

2931. Do you mean to tell the Committee that you do not know the names of those two or three parties that applied to you?—I cannot indeed, for they were country people, most of them.

2932. Where did this occur?—In the town.

2933. How did you know them to be country people?—They looked as though they came out of the country; they were quite strangers to me.

2934. You said one man had two sovereigns in his hand; had he taken them out of the parcel?—Yes; and I should not have seen it, but he came to my house for it.

2935. That was in your house it was opened?—He opened it as he went into the passage.

2936. How did he know the parcel was there?—I sent word for him.

2937. What was the name of that person?—Lund.

2938. Is that the person of whom you said, in your first examination, that you did not see what was in Lund's parcel?—That was the person that I was referring to; he walked before me, and he had them in his hand, and he said they were all right.

2939. Did you see them or not?—I saw them in his hand, and he jingled them.

2940. Jingled what?—The two sovereigns.

2941. Did you see them?—Yes; but he was on before me.

2942. How came you to say, when you were examined before, that you did not see them?—I can hardly say whether I saw them or not.

2943. How came you to say that you did not see them?—I could not recollect it.

2944. You did not recollect it at the time?—No.

2945. And you do now?—I recollect now.

2946. You said, in answer to a question, that it was a disagreeable question to answer; what did you mean by saying that?—I did not know what he was talking about, to answer right.

2947. You meant to answer right?—Yes; I was not frightened from speaking right.

2948. Was it put in such an arbitrary manner that you thought you were obliged to answer, and could not say distinctly anything that could give a satisfactory answer to the question?—No.

2949. Why did you take the parcels to your own house, and not to the office?—Because I had them in my own care; I had them given to me in my own care.

2950. Is that the usual practice?—Yes.

2951. That if you had parcels delivered to you, and you do not find the parties at home, you keep them till the parties call for them?—Yes.

2952. Are they never taken back to the office?—No, unless they are entered in the book.

2953. If the parties had not called, what should you have done?—I do not know.

2954. You are quite sure that that did not happen with any of them?—No.

2955. Did you go to Mr. Tibb before you came up to London?—I went to Mr. Tibb to ask him some questions.

2956. What questions did you ask him?—I told him that I had a summons to go up to London, and I wanted to know what I was to do about it; and he said I must go to Mr. Anderson.

2957. Who is Mr. Tibb?—Mr. Cattle's attorney, I believe.

2958. Who advised you to go to Mr. Tibb?—The book-keeper told me to go and take him down to Mr. Anderson's.

2959. Mr. Riley told you?—Yes.
2960. Mr. *Wrangham.*]—Mr. Anderson, who is generally sitting here?—Yes.
2961. What was it that you went to consult Mr. Tibb about?—About my expenses.

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Mr. *Thomas Riley,* called in; and Examined by Mr. *Hill,* as follows:

Thomas Riley.

2962. ARE you coach-office clerk to Mr. Cattle, of York?—Yes.
2963. How long have you been in his employment?—About ten years.
2964. What is Mr. Cattle, a Blue or an Orange?—I believe he is a Blue.
2965. Do you remember receiving a number of small parcels at your office like that?—[*Shewing the Witness a letter.*]—I recollect the parcel came to me, directed to me as coach agent of York.
2966. How large was that parcel?—It was only a small parcel.
2967. What did it contain?—It contained several small parcels.
2968. Like this?—I do not think it would be so large as that.
2969. Look at that, and see if it is not one?—I am sure I do not know.
2970. Were they such parcels as this?—I do not think they were so large as that.
2971. How much smaller?—A little smaller; they might be that size; I took very little notice of them.
2972. For all the notice that you did take, this might be one, might it?—It might be one.
2973. How did this parcel come?—The parcel was left in the office during my absence, directed to me, coach agent, York.
2974. All that you know about the parcel is, that when you came to the office you found it there?—Yes, that is all I know about it.
2975. Where was it?—On my desk, where the way-bills are generally laid.
2976. Have you the cover?—No; when I opened the parcel I thought it was a hoax.
2977. What have you done with the cover?—It was thrown under the table.
2978. And it is destroyed?—Very probably.
2979. Did you find any letter in it?—A small bit of paper, requesting me to have them delivered.
2980. What did you do with it?—I threw it among the waste paper.
2981. Did you consider that a hoax?—Yes, as I had been tricked in that way before; persons sending parcels for me to deliver about the streets, to have them carriage-free.
2982. Do you give in to such hoaxes?—If I cannot make out where they come from, I am obliged to give in to it.
2983. Do you feel obliged?—I am not bound, but as an act of honesty I deliver them.
2984. Had you had a set of parcels delivered you before?—I had had parcels, but I do not know that there were so many.
2985. Tell me one instance?—I cannot call to mind one instance, because I have had several.
2986. That is a bad reason for not calling to mind one, because you have had several; when did it occur before that a man had hoaxed you; this was in the beginning of May?—In the beginning of May, or the end of April.
2987. How shortly before might you have been hoaxed in that way?—Perhaps a few months; I cannot call to mind these things.
2988. A few months before you had been hoaxed in the same way?—Probably a few months before.
2989. How were you hoaxed in that case?—It was a small parcel, containing others.
2990. How did that come?—That had come into the office in the same way.
2991. You found it on your desk?—Yes.
2992. And did you deliver it?—I certainly gave it to the man to deliver.
2993. Do you get anything by that?—No.
2994. Or your master?—No.
2995. How many times in your life has it happened to you to walk into your office and find a parcel of letters upon your desk, which you delivered without knowing whence it came?—I cannot state that.

 2996. Upon

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2996. Upon your oath, did it happen before this time in May?—Yes, it did.

Mr. *Wrangham* submitted that the Witness ought not to be cross-examined by Mr. Hill, as there was no appearance of his being a hostile witness.

Mr. *Thomas Riley* was again called in; and further Examined by Mr. *Hill*, as follows:

2997. Have the goodness to tell the Committee the circumstances under which it was that you received the bundle of parcels before?—In nearly a similar way. I have had parcels come by coaches to me, as coach agent, merely to get them free.

2998. You have received parcels by coaches?—Yes.

2999. Was not the carriage paid of those parcels?—No; being directed to the coach agent, they passed free.

3000. Was that by persons strangers to you?—I have not known where they have come from.

3001. Was not the coach-hire of those parcels paid?—No.

3002. Did you deliver or cause to be delivered those parcels which had come by coach to your office, and of which the coach-hire was not paid, without obtaining the coach-hire from the persons to whom they were directed?—If I could ascertain where they have come from, then I charge the carriage; for instance, the mail comes in from Hull, and a parcel comes by that, and the coachman knows nothing about it; I then charge the carriage from Hull, and charge the parties for whom the parcel is.

3003. If it comes from Hull do you not charge the carriage as a matter of course?—Yes; I say that.

3004. In that case there is no fraud upon your office at all?—In that case there is not.

3005. Do you undo the bundle and cause the parcels to be delivered, charging each parcel with so much as you think fair for the carriage from Hull?—Yes.

3006. Is that the course of business?—Yes.

3007. You enter them in the book?—Yes.

3008. For the porter to carry round?—No; he takes the parcels with him, but he does not take the book with him; it is the practice in some places for persons receiving parcels to sign them, but that is not the practice with us.

3009. Then that depends upon the porter's honesty?—Yes.

3010. Did it ever happen before that you received parcels in the way you are speaking of, and sent them round without charging any carriage for them?—Sometimes I have; when I cannot ascertain where they have come from, I do not know what to charge.

3011. And you charge nothing?—No; the porter has that for himself; commercial men sometimes enclose small parcels for their customers.

3012. Are not the commercial men known to your office?—No.

3013. I wish the Committee to understand your evidence; is it this; that if you go to the office and find a bundle of parcels upon your desk, you cause those parcels to be delivered; is that the course of business?—I have not had a bundle containing so many as the one you are alluding to before this.

3014. Did you ever find before a parcel upon your desk, which when you undid you found to consist of a number of parcels, and caused those parcels to be delivered, without any charge being made for carriage?—When there are not a great many of them; I never had so many of them.

3015. Then instances have occurred in which you have done so; am I correct in saying so?—Yes; I have had parcels from Edinburgh.

3016. By coach?—Yes.

3017. Do you mean to say that those parcels were delivered from your office without the carriage being charged, if the carriage was not paid upon them when they came to the office?—No; if I ascertain where they come from, I then charge the carriage.

3018. That is not then a case in point; can you tell this Committee of any instance in which you have treated parcels going from your office in the way in which you treated these parcels?—I cannot state any particular case, because it frequently

frequently occurs; if I had a parcel to send to London, I should direct it to any of the book-keepers here, and they would put it "free" on the bill.

3019. Then do you know that it is a parcel which is to be received, and its contents delivered to somebody, from its being marked "free" on the bill?—This was not entered in any way.

3020. Do you mean to say that in those prior instances in which you have sent out parcels from your office without any profit, you have done so because the parcel is marked "free?"—If the parcel is marked "free," I generally give it to the porter.

3021. And he delivers it, and has the profit for himself?—Yes.

3022. But this parcel was not marked at all; it did not come by coach?—It did not come by coach that I know of; it was in the office; and where it came from I cannot tell.

3023. How many parcels did you find when you counted them?—I did not count; I should think there might be 30 or 40; I do not know that there might be many more than that.

3024. And there was a slip of paper in them?—Yes, requesting me to deliver them, or cause them to be delivered.

3025. Give the Committee the words of that slip of paper, as far as you can?—"I will thank you to cause the enclosed to be delivered; by doing so you will oblige."

3026. Oblige whom?—No name to it.

3027. Did it begin, "We will thank you?"—No, "I will thank you."

3028. You are sure it was "I?"—Yes, to the best of my recollection.

3029. It was either "I," or "We?"—To the best of my belief, it was "I."

3030. "I will thank you to deliver these parcels?"—To cause them to be delivered, and by so doing you will oblige a stranger, or something of that sort; there was no name to it by which I could trace the person.

3031. Was it signed "A stranger," for this was a curious circumstance, and must have made an impression?—I cannot recollect; I had a letter from the post-office to give to a gentleman that was coming by the coach, and that letter I took.

3032. Did you pay the postage?—That was paid.

3033. Was it signed "A stranger?"—I do not know; there was no name to it.

3034. Did you not consider it an extraordinary occurrence?—I considered that some one was taking a very great liberty.

3035. Did you take any liberty with those little parcels?—No.

3036. Then you had no notion what was in the parcels at the time you delivered them to the porter?—No.

3037. Did you deliver them all at once to the porter?—No, I gave him a few at a time.

3038. Why?—Because I thought it would interfere with the proprietor of the business.

3039. When you gave him those parcels, was he not very much surprised?—No, I had frequently given him parcels before.

3040. He expressed no surprise at all?—I do not recollect that he did.

3041. Did he, or did he not?—He expressed a little surprise when I gave him the latter part of them.

3042. At how many times did you give them to him?—I cannot say; I gave him a few at a time, so that when he delivered the other parcels he might deliver those.

3043. Did you give him a dozen the first day?—I do not know.

3044. Did you give him as many the second day as the first?—I do not recollect.

3045. What did he say to you the second time?—I told him to deliver the parcels, and that he might have the profit for himself.

3046. What did he say to you?—I do not know that he made any remark. If I give him a parcel, I expect him to deliver it, and not make any remark.

3047. Is the aristocracy of your office so established that he is not to make a remark when you gave him a parcel?—No.

3048. Did he make a remark?—He might; he might express his surprise.

3049. Did he not ask you where they came from?—Very likely he might.

3050. Did he, or did he not; it is a very extraordinary occurrence?—I cannot recollect

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recollect whether he did or did not; the multiplicity of business is such that I do not pay any great attention to the delivery of parcels.

3051. Do you mean to say that the multiplicity of business is such, that this did not strike you as a most extraordinary occurrence?—It was an extraordinary occurrence; such an occurrence I had not before; not so many of them.

3052. That being so, did not the circumstance fix it in your mind; its being so extraordinary, can you have forgotten what took place between you and the man upon such an extraordinary occurrence?—Nothing took place between me and the man except delivering the parcels.

3053. Did he not say to you the second time that he wanted to know where those parcels came from?—I cannot recollect; if he had asked such a question I could not have answered it.

3054. Did you not say to him, "It is nothing to you where they came from?" —Perhaps I might at that time.

[The Witness was directed to withdraw.

Mr. *Hill* submitted that he was now at liberty to press the witness further upon this point, as being a reluctant witness.

Mr. *Wrangham* submitted that there was no ground for Mr. Hill treating the witness as a hostile witness.

The Committee-room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee had decided that the witness might be pressed by Mr. Hill in his examination.

Mr. *Thomas Riley* was again called in; and further Examined by Mr. *Hill*, as follows:

3055. Have you had time to recollect whether or not Shepherd did ask you, upon the second or third occasion when you gave him the parcels, where they had come from?—I am sure I do not recollect; as I stated before, it is my wish to answer every question, but the multiplicity of business is such that I cannot recollect.

Chairman.]—This is a very particular transaction, which must have made a particular impression upon your mind; the House of Commons have summoned you here to speak the whole truth, and therefore you must give the best account that you are able?—That is my wish.

3056. Mr. *Hill.*]—At any time did Shepherd express surprise to you at having so many irregular parcels to deliver?—I think towards the latter end he might.

3057. Did you or not say to him, "It is nothing to you?"—If he inquired of me of any parcels I should tell him so.

3058. What did you do; did you or not?—I think I did.

3059. Had you those parcels in your possession, some of them for several days?—I had.

3060. Where did you keep them?—In my desk.

3061. Is it the desk you go to perpetually?—Where I have all my papers.

3062. To which you go very often in the course of the day?—Yes.

3063. You did not feel what those parcels contained?—No, I did not.

3064. Had you no notion what they contained?—No.

3065. Had you any conversation afterwards of what they contained?—According to the report afterwards, I believe they contained money; but whether they did or did not, I cannot state.

3066. I am asking you whether you did not feel there was something very much like money in those parcels; did not you handle them from time to time?—No; I placed them in my drawer, and I had no occasion to feel the parcels.

3067. Did you deliver them with your own hands into Shepherd's possession? —I did.

3068. And you say you never felt that they contained money?—No; I took them out of the drawer and laid them on the desk for him.

3069. You heard a report in the town that they contained money?—That some parcels had been delivered containing money.

3070. Did you believe that that report applied to the parcels that you have been speaking of?—That I do not know.

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3071. Did you believe it at the time?—According to report, I did believe it.

3072. The report was, that parcels had been delivered from your office containing money?—Yes.

3073. Did you hear nothing more than that; did report go any further?—No.

3074. Was it not reported that the money was delivered to Lowther's voters?—There was that report in York; but whether it was so or not I cannot say.

3075. Had you any conversation with Mr. Cattle, your principal, upon the subject?—No.

3076. You never mentioned the report to him at all?—No, the only conversation that I had with Mr. Cattle, was when the porter received the summons.

3077. That is as lately as the 23d of July?—I do not know what day it was; he got the summons thereabout.

3078. This occurred early in May, the delivery of the parcels?—I think it was April, to the best of my recollection; somewhere thereabout.

3079. Do you mean to say from April and up to July, you and your master had never any conversation about this curious transaction?—No.

3080. My learned friend and I have a little misunderstood you; do you mean to say, that you ever had a number of parcels wrapt up in one parcel, that is to say, a bundle of parcels contained in one parcel, left in your office, which did not come by any coach?—I had had a parcel containing two or three parcels, but never so many as was left at that time.

3081. Did you know from whom it came?—No.

3082. Was there any letter in those other parcels of which you speak?—I do not recollect; I cannot speak to any particular time of one coming.

3083. Can you tell whether before this time in April, such a transaction has occurred in the last two years?—I should think so.

3084. Can you say so upon your oath?—Yes, I could.

3085. How long ago?—Perhaps five or six months ago.

3086. Did anybody bring that parcel to the office?—The last parcel I think I got, came by the coach.

3087. Clearly understand what I mean; I mean the parcel not coming by the coach, and not left at your office by any person whom you knew; but a parcel coming in the way this did, making suddenly its appearance in the office?—I have had parcels come to the office without directions, that on opening I found had been left by passengers.

3088. Then to please the passengers, you had them delivered, had you?—If there was any direction, of course I forwarded them to the parties.

3089. Who attends in the office when you are absent?—If I am called in to the inn, if any of the men belonging to the establishment are in the yard, I tell them to look to the office.

3090. What time of the day was it you came into the office, and found this parcel containing the smaller ones upon your desk?—I think the latter part of the day.

3091. Is your office like most coach-offices, with a counter for people to stand at when coming upon business?—Yes.

3092. Where would your desk be?—[*The Witness explained the position.*]

3093. Can a person get to your desk without coming across the counter?—Yes.

3094. Do you leave your desk so that a person could readily come into the office and go to your desk?—Yes, the board is raised about that above the desk.

3095. Do you leave the office without anybody in it?—I tell the man to go, if I have not far to go.

3096. What time of the day was it when you found the parcel upon your desk?—It was in the latter part of the day.

3097. Whom had you appointed to keep the office?—I do not remember; there are three or four men employed in the stables in the yard, and any one of them might be in the office.

3098. Did you make any inquiry of the man, whoever he was, that you had left in charge while you were away, as to who had brought that parcel?—I did not open the parcel directly.

3099. That is no answer to the question; did you or did you not make any inquiry about the parcel of the person left in charge?—I made an inquiry of several about the parcel.

3100. Give me their names?—We call him Knolson.

3101. What

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3101. What is he?—He is an ostler.

3102. Was it his duty to come into the office and take charge of it?—Merely to wait at the door when I went out.

3103. Had you appointed him?—I do not know; he is one that I made inquiry of; the stables are adjoining the office.

3104. Give me another name?—There is another of the name of Pinn.

3105. What is the Christian name of Pinn?—I am sure I do not know his Christian name.

3106. What is he—an ostler?—Yes.

3107. Did you inquire of anybody else?—I cannot particularize any more.

3108. Though you cannot recollect at this distance of time who the person was that you had left in charge when you went away, you knew at that time who the person was?—When there are two or three there, I tell them to look to the office till I return.

3109. You tell two or three?—When there are two or three attending at the stables.

3110. You said that you had told some one man to take charge of the office?—Some one man belonging to the establishment.

3111. My question is this: though at this period of time, so long since, you may not know who was the man that you left in charge of the office, must you have known it at the time; could you have forgotten it so soon?—I might not have known who it was that took the parcel in.

3112. Could you have forgotten who took charge of the office when you were away?—I cannot recollect it at this time.

3113. Could you at that time?—If I made an immediate inquiry I could not.

3114. How soon after you found the parcel did you make the inquiry about it?—I believe the next morning.

3115. Is there not another clerk in the office?—Yes.

3116. Where was he at this time?—He was out.

3117. What had you gone out for?—I am sure I cannot say.

3118. How long had you been absent?—Not above a few minutes; the inn is adjoining; I am frequently called in there to take the fare.

3119. And nobody could tell you who had put this upon your desk?—No.

3120. You have never heard from that time to this who it was that brought that parcel?—No, I have not.

3121. Did you ever make any inquiry?—No; because, as I stated before, I considered it to be a hoax.

3122. Can you give the names of any persons to whom they were directed?—No, I cannot, I am sure.

3123. Not one?—No, I do not recollect one.

3124. Of all those 30 or 40, you do not recollect any name?—No; because when I thought it was a hoax, I took no further notice of it.

3125. You observed the instructions of the letter; you took notice of it in that respect?—So I should for any one; if there was a parcel or two come I should certainly oblige them.

3126. This was a question of 30 or 40 parcels?—If several parcels were to come, I should not.

3127. Why did you in this case?—I considered that parcel as under my directions.

3128. But you considered yourself as hoaxed?—Yes.

3129. Why did you then obey the hoax?—I did not wish to be behaving ill to any one; what was I to do with them?

3130. You told me just now that you should not have acted in accordance with the request of persons who had sent you more than two or three parcels, and then I asked why you got 30 or 40 delivered?—My answer I believe is, that I would not do it again.

3131. Did you know the hand-writing of the slip of paper?—No.

3132. Did you know the hand-writing of this parcel?—No, I did not.

3133. And you cannot recollect out of this 30 or 40, one name to give?—I do not indeed.

Cross-examined by Mr. Wrangham.

3134. Probably you did not read them all?—I took no notice, I put them all in my drawer.

3135. Mr.

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3135. Mr. *Hill.*]—Was there one for yourself?—No.

3136. Did you vote a plumper for Lowther?—I did.

3137. Mr. *Wrangham.*]—You say that if a parcel of this kind were to come again with a number of parcels inside to deliver, you would not do it?—No, I would not.

3138. Why?—Because I have had so much trouble over this.

3139. You do not like the journey to London, and then to be examined by my learned friend?—I do not like to leave home, and to neglect business.

3140. When you go out for a few minutes, as you say, to the inn, or to take the fare of any coach passengers, would you not, if you saw three or four ostlers about, say, "One of you look to the office till I come back?"—Yes, that is my plan.

3141. And so you could not say which of them took charge of the office?—No; if I called out I should expect them to attend.

3142. And you would not wait, but would go immediately into the yard?—Yes.

3143. A person might put his parcel upon the desk or the counter, almost without coming into the office?—He would have but one step.

3144. This was not a very large parcel?—No.

3145. The parcel might have been brought up the yard very easily, without a person observing it?—Yes.

3146. Was it directed?—Yes, to Mr. Riley, coach agent, York.

3147. Let us know whether I understand you correctly: do you mean to say that on occasions, supposing them to arise or to have arisen, when a parcel finds its way like this on your desk, and you find parcels in it requiring to be delivered, and you cannot ascertain from whom the parcels come, you would give them to the porters, so that they might have them as their perquisites?—Yes.

3148. And you would not enter them in your book?—I should not consider ourselves answerable for them.

3149. You would consider yourself entitled to the booking fee before you became responsible?—Yes.

3150. Do I understand that the course which you took with this parcel is precisely that which, under ordinary circumstances, you would take?—Precisely the same.

3151. In no way did you deviate in your practice in this case, from that which would have been your practice in other cases?—No.

3152. You said if the man Shepherd did say anything, asking you where they came from, your answer would be, that was nothing to him?—Yes.

3153. You consider the business of a porter to be to inquire where the parcel is going to, and not where it came from?—Yes.

3154. I understand you to say that you had no notion of those parcels containing money till you heard of a report afterwards that money had been delivered in parcels?—Not in the least.

3155. Was your master at home at this time?—I am sure I do not recollect whether he was or was not; a parcel being directed to me, I should not take any notice to him.

3156. You are not in the habit of conversing with Mr. Cattle upon all the parcels that come?—No.

3157. Does he come into the office?—He does in the morning to take the account, but he never interferes with the books at all.

3158. So that your supposing this to be a hoax upon you would not prevent you from giving the porters an opportunity of getting their fee upon them?—No.

3159. And you took care that they should not all go at once, for fear of interfering with their proprietor?—Yes.

Examined by the Committee.

3160. When did you hear that there was money in the parcels?—Perhaps four or five days, or a week after. I cannot say the time.

3161. When you say you consider the parcels as a hoax, do you mean that it was a hoax upon you, or that the letters containing the parcels were a hoax upon the parties to whom they were addressed?—I thought it was a hoax upon me, to give me the trouble of having them delivered.

3162. Then you might have prevented its being a hoax by not delivering them?—Yes;

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—Yes; but any parcel coming in that way I should consider it my duty to deliver.

3163. Where did you put those parcels which you did not deliver the first time to the porter?—I put the whole of the parcels into my drawer.

3164. Did you lock them up?—Yes, I had locks to that drawer.

3165. You were not aware that they contained money at that time?—I was not.

3166. You found the parcel lying on your desk on your return to the office?—Yes.

3167. When did you open it?—Next morning; I thought at the time it must be some way-bills for me. I am agent for most of the coaches coming to York.

3168. You are quite sure that you did not open it till the next morning?—Quite certain.

3169. When did you make inquiry of the person who kept the office while you were away?—It was after I opened the parcel.

3170. Then you made inquiry?—Yes.

3171. Did you put the parcel unopened into your drawer that night?—No, I laid it on my desk among the rest of my way-bills.

3172. Are you sure that it lay on your desk unopened?—Yes.

3173. You thought it might be a hoax?—Yes.

3174. But you had no certainty upon that point?—No.

3175. But you did not know but that they might contain important parcels?—It might.

3176. And therefore you sent them out?—I thought that we could not do wrong in delivering them.

3177. Is your office a considerable office?—One of the principle.

3178. There is a good deal of bustle there?—Yes.

3179. You do not inquire much about those parcels?—No.

3180. Your business is to dispatch them?—Yes.

3181. If you made much inquiry you would not be able to get through your business?—We should not.

3182. After a lapse of a few weeks or months, should you be able to recollect any particular parcels?—No, not without referring to the books.

3183. Or any particular conversation which passed at the time?—No.

3184. If any strangers were to leave you 40 or 50 parcels to deliver, you would deliver them?—I do not know that I should do it again.

3185. Will you explain that?—Because of having the trouble of coming up to London.

3186. Before you heard of the petition being presented, you would have delivered 30 or 40 parcels?—I do not know whether I should or not.

3187. As a general rule, would you deliver 30 or 40 parcels every time such a task was imposed upon you?—Yes.

3188. Would you not feel yourself very much embarrassed with the parcels, if you had not sent them out?—I should not have known what to do with them.

3189. Have you ever heard of a number of letters being sent to the freemen of York through the post-office?—There was that report.

3190. Did you hear that before the parcel was brought to you?—I do not know; I cannot speak to the time when the report was.

3191. You had heard that letters had been circulated through the post-office containing money?—I had heard that money-letters had been delivered from the post-office.

3192. In what part of the office did the parcel lie during the night after you found it there, and before you opened it?—On the desk; there is a hollow space where I put my papers, and this parcel was along with the rest.

3193. And you are sure it lay there the whole night?—It was there when I went away at night, and when I came in the morning.

3194. Was it sheltered from observation?—Yes.

3195. Is that the place in which you always deposit way-bills?—Till I open them.

3196. Do the way-bills come to you in parcels of that description?—Yes, I am the agent.

3197. Do way-bills come to you in parcels of a similar description to that?—Yes.

3198. And about the same size?—Some are longer than others; they sometimes come in that size.

3199. After

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3199. After you had delivered the first portion of those parcels to the porter, had you any application from persons for Lowther parcels?—We have daily inquiry for parcels.

3200. Had you any application for Lowther parcels?—Not that I remember; I think not.

3201. Supposing you were now to receive again a similar number of parcels, and should decide upon not delivering them, what would become of them?—They might remain till an inquiry was made.

3202. Supposing those parcels contained property, would they be safe?—I should leave them on my desk. I should consider myself not answerable for them.

3203. Would you retain them in readiness to deliver up to any persons who had a claim upon them?—Yes, that I would do.

3204. And the person would get the property safe again?—Yes.

3205. Though those parcels had not been entered into the book?—If a parcel comes into the office directed for York, I have no occasion to book it.

3206. But you do not know where those parcels came from?—No, I do not.

3207. If you had found upon some other occasion a parcel containing others, directed as this was, should you have kept them till the persons applied for them?—I should have delivered them.

3208. When you deliver parcels to the porter, have you any means of ascertaining whether he delivers them to the parties to whom they are directed?—No, I have not.

3209. In no case?—No; except it is a parcel that comes insured; if for York, I generally write the receipt, and get the party who receives it to sign it.

3210. So that no receipt is given by the porter?—He takes them out, but he has no book to sign.

3211. Does he sign a book acknowledging to have received them from you?—No; the parcel with money remains for the day; the parcel that is delivered to-day, I should call upon the porter for the money.

3212. But the porter gives no account whether he delivers the parcel?—No.

3213. There is no check?—The only check he has over him is by marking the book.

3214. That is the assurance that the parcel has been received?—I consider that he would not pay the money till he has received it.

3215. If the porter does not find the person to whom it is addressed, what does he do with it?—It remains in the office three or four months, lest some inquiry should be made. I then take and charge it back by the same coach that we received it by.

3216. But it is his duty to bring it back to the office?—Yes.

3217. And you would not consider it proper that he should take it to his own house?—Not any parcel belonging to the proprietors, they are left at the office if he cannot find the address, I pay for the parcel and charge it.

3218. Do you know whether he brought any of those letters back to you, stating that he did not find the parties at home?—He did not.

3219. Did you inquire whether he had delivered those parcels?—I inquired, and gave him a few more.

3220. Did you have any conversation with Shepherd relating to those parcels?—None, except giving them to him.

3221. Did he communicate anything to you as to the contents of them at any time?—No.

3222. You speak to the best of your memory at this distance of time?—I do.

3223. Did you say that no person applied to you for one of those parcels?—That is a question which I cannot answer decidedly one way or the other; they might make an inquiry for parcels, and I should refer to the parcel-book; for any of those parcels, I should refer to the porter.

3224. Did any person apply for one of those parcels?—I do not recollect.

3225. Have you ever discovered who the stranger was that requested you to deliver those letters?—No.

3226. Did you ever receive any remuneration for delivering those letters?—Not anything at all.

3227. You are not sure whether any person applied for any of those parcels specifically?—People are daily making inquiries; if they made inquiry for any of Mr. Lowther's parcels, I should not know about them.

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3228. Do you know whether they did apply?—I do not recollect that they did.

3229. Are you sure they did not?—I think they did not.

3230. If they had, you would then refer them to the porter?—Any small parcel, I should have referred them to the porter for.

3231. If you had been asked whether there were any of Mr. Lowther's parcels, should you have referred them to the porter?—No, I should not have known that they were Mr. Lowther's.

3232. Have you heard of bribery and corruption prevailing in the election of members of parliament in York?—I have heard that men were down to attend the committee.

3233. Have you heard the same reports about the Orange party as about the Blue?—It is practised by both.

3234. And one party is as bad as the other?—I think they are much the same.

3235. You are positively sure that Shepherd never made any remark to you, as to his having seen the contents of any of those parcels?—Quite certain of that.

3236. Did you ever hear of Mr. Barkley setting down?—I paid very little attention to it.

3237. Did you ever hear of Mr. Barkley setting down?—Not Mr. Barkley in particular.

[The Witness withdrew.

Mr. *George Hicks Seymour* was called in; and further Examined by Mr. *Hill*, as follows:

Mr. G. H. Seymour.

3238. WILL you take this envelope in your hands, look at that hand-writing; tell me whose hand-writing you believe it to be, if you have any knowledge of it?—[*The letter directed to Mr. Palmer, being shown to the Witness.*]—I believe it to be a clerk of Mr. Graham's.

3239. Mr. Graham, one of the agents against this petition?—Yes.

3240. Also the agent for Mr. Lowther at the election; that is admitted?—(Mr. *Wrangham.*)—Yes, it is.

3241. What is the name of that clerk?—Francis Short.

3242. Is it his natural hand-writing, or in any way disguised?—I should say that I believe it to be rather disguised.

3243. But still you believe it to be the hand-writing of Francis Short?—Yes.

Cross-examined by Mr. Wrangham.

3244. You say that you think it is his, but it appears to be rather disguised; does that or does it not impair your means of judging of the genuineness of the hand-writing?—No, I should say not.

3245. Because it is somewhat different from what you conceive to be his hand-writing, you find it easier to tell it; what have been your means of judging of the hand-writing?—I have seen him write, and seen his writing several times.

3246. Do you take upon upon yourself to speak positively as to the hand-writing?—I cannot do it without I saw him write it; I only speak as to my belief.

3247. Do you speak as to your belief, unhesitatingly and without doubt?—To the best of my knowledge and belief; when that hand-writing was shown to me first, which was since I was in London, without knowing the purpose, I immediately named the person whose hand-writing I thought it to be.

3248. Mr. *Hill.*]—You named Francis Short?—Yes.

3249. *Committee.*]—What colour do you belong to?—I stated before, that I had been one of Mr. Dundas's committee; I have generally been active with Mr. Dundas.

3250. Did you give a plumper for Mr. Dundas?—I was deputy-sheriff in the last election, and therefore I did not vote.

3251. You said you had seen Mr. Short's hand-writing several times?—Yes.

3252. Have you been much in the habit of seeing it?—Yes.

3253. Have you compared the superscription of that letter with any writing of this gentleman's?—No, I have not; I have not the means of doing so.

3254. You say you are acquainted with the style of his writing, from having seen him write?—Yes, and from having seen his writing.

3255. Does the circumstance of his being clerk to one of Mr. Lowther's agents confirm that opinion?—Not at all; a gentleman showed it to me and said, you

will

will perhaps know that hand-writing; and I said, speaking off-hand, it is such a person's. Mr. G. H. Seymour

3256. Under what circumstances have you been in the habit of seeing Mr. Short's hand-writing; has he corresponded with you in the names of his employers?—My father holds a situation in which I generally act for him in a local court, which Mr. Short is very often in the habit of attending, where there are documents in his hand-writing. 12 August 1835

3257. And it is with reference to the proceedings of that office that you speak, when you say you have had means of judging of his hand-writing?—I mean that that is the mode in which I have seen his hand-writing.

3258. How do you know that those documents are in the hand-writing of Mr. Short?—I have frequently seen him write.

3259. Did you see him write documents?—Papers which we call documents.

Re-examined by Mr. Hill.

3260. You answered a question which was put to you by saying that you could only speak to belief, since you did not see Mr. Short write this?—Yes.

3261. Have you the same belief respecting this being the hand-writing of Mr. Short as you have of any other hand-writing of his which you have seen, but which you did not see him write; do you understand me?—Yes, I can understand the question; I cannot answer the question better than by saying, the moment it was shown to me I recognised the hand-writing.

3262. Have you seen any reason to change that opinion or doubt its accuracy?—No.

[The Witness withdrew.

Mr. *Francis Short* was called in; and Examined by Mr. *Wrangham*, as follows:

3263. ARE you clerk to Mr. Graham?—Yes. Mr. Francis Short

3264. Will you look at that hand-writing—[*The same paper being shown to the Witness*]; is that your hand-writing?—No, and nothing like it.

Cross-examined by Mr. Hill.

3265. Not anything like your hand-writing?—No.

3266. So that any person who knew anything of your hand-writing must see at once that it is not yours?—They must; anybody that knows anything of my hand-writing.

3267. Have you ever heard that your hand-writing was supposed to be upon one of the sovereign parcels?—I have.

3268. When did you hear that?—I was told by a person they call Mitchell, whom I believe to be one of the petitioners.

3269. When were you told that?—I should think four or five weeks ago.

3270. *Committee.*]—The Committee distinctly understand that you positively assert that that is not your hand-writing?—I positively assert that it is not.

3271. Mr. *Wrangham.*]—You say that it is five or six weeks ago that one of the petitioners told you about your hand-writing being suspected to be upon that paper?—Yes.

3272. *Committee.*]—Are you in any degree influenced in the answer you give by any apprehension of being criminated?—None whatever; I am clear of any of those letters, and I had no knowledge of them till Mr. Mitchell told me.

3273. (To Mr. *Seymour.*)—When was it that you were first applied to to look at the hand-writing?—Since I came to London; either the Monday or the Tuesday last week.

3274. (To Mr. *Short.*)—Are you a voter for the city of York?—No.

Jovis, 13° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Robert Ellison, was called in; and Examined by Mr. *Anderson*, as follows:

Robert Ellison.

3 August 1835.

3275. WHERE do you live in York?—In Walm-gate.

3276. What is your trade?—A hairdresser; I do not follow it now; I cannot follow it; I am very ill.

3277. Are you a freeman of York?—Yes, ever since 1802, I believe.

The *Chairman* informed the Witness that he was not required to answer any question, which in the opinion of the Committee might criminate himself.

I will answer everything that is right and just before your House.

3278. Mr. *Anderson.*]—Whom did you vote for in 1832?—I do not know; I cannot recollect.

3279. Whom did you vote for at the last election?—I voted for Mr. Lowther.

3280. Did you give him a plumper?—I did.

3281. Do you recollect any letters being sent to any voters, in April last?—I cannot tell the month; but I got two letters myself.

3282. What did those letters contain?—The first letter that I received from the postman, contained two bad halfpence, and I gave him a penny for it.

3283. What did the second letter contain?—When I opened it, there were two sovereigns in it.

3284. Did you pay a penny for that also?—Yes; I paid twopence in all.

3285. Were both letters delivered on the same day?—One after the other.

3286. Do you mean at the same time?—Yes.

3287. Will you state what took place at the time those letters were delivered to you; state the circumstances; what took place between you and the postman?—He gave me a letter, and there were two halfpenny pieces in it; and I gave him a penny for it; I did not know what to do with it; they were fastened with some glue, or something of that sort; and I said, "D——n your eyes, you b———, if I had known that, I would not have given you a penny;" and he gave me another parcel.

3288. Did you say penny-pieces, or halfpenny-pieces?—Two bad halfpence.

3289. What did the postman do to you then?—He gave me another directly.

3290. What did that other contain?—There were two sovereigns in that.

3291. Were those glued as well?—Yes, they were.

3292. Did you sign a receipt?—Yes, I signed a paper; he asked me to sign a paper.

3293. Look at that paper, look at the name above there?—[*A paper was shewn to the Witness.*]—I believe that is the very paper; I am not sure, but I believe it is.

3294. You signed a paper like that?—I did; I cannot speak to the paper exactly.

3295. Look at the back of that?—I do not know that I looked at the back at all; I do not think that I did; my hands are very bad, so that I cannot write with them.

3296. At the time you are speaking of, was it long after the time when the general letters had been sent?—The letters had been all delivered out, and the freemen kept calling upon me, "Harry, have you got your letter yet?" and I did not get it for three weeks, or better than three weeks.

3297. As soon as the freemen kept telling you about those letters, did you go and apply to anybody upon the subject of your letter?—Yes, I did.

3298. To whom did you go?—I went to Mr. Hudson.

3299. Mr. Hudson of Monk-gate?—No, of College-street.

3300. What did you say to him when you went to him?—I went to him, and said, "Mr. Hudson, isn't I going to have my money as well as the rest of the freemen? I am a poor freeman," says I, "the same as the rest is."

3301. What did he say to that?—Mr. Hudson told me that he did not know that

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that I was a freeman, that I was not in the books, and he said he would kick me out; he said, "I do not know nothing at all about it; you are not a voter," says he, "you are not in the books;" and he said he would kick me out; and his young man pushed me out of the shop.

3302. Did your letter come immediately afterwards; how long afterwards did your letter come?—It was, I dare say, three weeks; as I tell you, it was just when I first heard of it.

3303. It came three weeks afterwards?—Just thereabouts, or rather more.

3304. When Mr. Hudson had offered to turn you out, did you go to anybody else?—I d——d his eyes, and said I was as good a freeman as him or any of them.

3305. Did you go to any other of Mr. Lowther's committee?—I did not go that day, but I went to Mr. Bell.

3306. What did you say to Mr. Bell?—I said to Mr. Bell, I asked him if there was any money for me, the same as the rest of the freemen; and he said, I know nothing at all about it; he said, if there was any, your son got it most likely; and I went down to his house, and he was not at home; and I asked his wife, and she said he had got a sovereign, but she did not know where he got it; she told me so.

3307. Is your son a freeman?—Yes.

3308. Did he also vote for Mr. Lowther?—No.

3309. For whom did he vote?—I believe for Mr. Dundas; he did not vote for Mr. Lowther at all.

3310. After you had been to Bell, did you go to any other member of Mr. Lowther's committee?—No, I never went to none of them.

3311. Did you go to complain to anybody else, that you had not received your money?—Nobody but the men in the streets, and the neighbours round about; I said it was a great shame that they did not give me the same as the rest of the people.

3312. Was it after you complained in the manner that you have mentioned you received the letter with the two sovereigns?—Yes, it was some time after.

3313. Did Mr. Bell tell you that you were not a freeman?—No, I cannot say that he did.

3314. Did he say anything about your being in the books?—Nothing at all, because I was not long in the shop with him; but I went to ask him, and he said he knew nothing at all about it.

Cross-examined by Mr. Wrangham.

3315. Listen to me for a few minutes; you say that hearing your son might have got this money for you, you went to your son's house?—Yes; and I saw his wife.

3316. And his wife told you that he had got one sovereign, but she did not know who it came from?—She did not ask him where he had got it from; he went to his work directly, she said.

3317. You say that he voted for Mr. Dundas?—Yes.

3318. And for some other gentleman?—I know that he voted for Mr. Dundas.

3319. Do you know that he did not vote for Mr. Lowther?—I am sure he did not.

3320. So that to the best of your knowledge he was a split vote for Mr. Dundas?—I believe so.

3321. Was the other gentleman Mr. Barkley that he voted for?—That is the very name, if he did vote.

3322. You know that he voted for Dundas, and not for Lowther?—I know that he voted for the one and not for the other; he voted in the same way as his master, and his master voted for Dundas.

3323. So that you went to a Mr. Hudson, and Mr. Hudson would not have anything to say to you?—Yes.

3324. And then you damned his eyes?—I did, as soon as I got out of the door.

3325. Were you sober?—I was neither sober nor very drunk.

3326. What is it you call very drunk?—I call it very drunk when I cannot walk.

3327. So that when a man can walk and damn another's eyes he is not very drunk?—Why, no.

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3328. In short you got no comfort from Mr. Hudson at all?—I do not bear him any malice nor anybody else, and never did.

3329. He would have nothing to say to you?—No; he turned me off.

3330. Then you go to Mr. Bell, and he says he knows nothing about it?—I went another day, and he said he did not know anything about it.

3331. Then you did not go to anybody else?—No.

3332. But you were tolerably loud in your complaints among your neighbours?—Yes.

3333. So that a great many people would hear of your ill-usage?—I told them of it and all.

3334. Did you make a noise in the neighbourhood?—I complained of not having my money as well as the rest of the freemen, to many of them.

3335. Do you remember the name of the postman who gave you the letters?—I do not, indeed; I know the man, but I do not know his name at all.

3336. Was his name Pearson?—I do not know his name, so I cannot say anything about it.

3337. There were two letters, were there?—There were.

3338. And one turned out to have two bad halfpennies in it?—Yes, there was.

3339. That was given you as a money-letter, was it not?—I expected it was a money-letter; I did not know till I opened it.

3340. The postman brought it as a money-letter?—He said he had a little money for me; and when I found it was two halfpennies I smacked it upon the floor. I was going to throw it into the fire. It did not go as far as the fire; there were two or three neighbours there at the same time.

3341. They were fastened with something like glue?—Something of that kind.

3342. Were the sovereigns fastened much in the same way?—Just in the same way.

3343. So that if there were a great number of letters going about with coin in them, there might be others that had bad halfpennies as well as you?—There might be, but I do not know what other people had, for I was very ill at the time.

3344. *Committee.*]—What is your son's name and trade?—Robert; he is a cordwainer and cobbler.

3345. Where does your son live?—He lives down the new streets; I forget the name.

3346. You received the money-letters at the same time?—Yes; one was delivered first, and then the other was delivered directly after.

3347. The postman brought them together?—Yes.

3348. You smacked one on the floor?—Yes, when I opened it.

3349. What did you do with the other?—I took the other and kept it.

3350. Where is the money cover?—I left it on the table, and I do not know what wife did with it at all; I asked for it before I came up; I was ordered to ask for it; and she said she did not know where it was, she would search all over; I should have brought it with me if I had found it.

3351. Is this cover the cover of the money or the halfpence?—No; one had halfpence and the other two sovereigns.

3352. Why did you tear the other?—I threw it away from me.

3353. Why did you tear one and keep the other?—Wife had it; she took it from me.

3354. Did you state just now that you tore it?—I gave it to wife.

3355. Then the postman took back one cover and made you sign a receipt?—He took neither back, he gave me a paper to sign.

3356. Why did he not take that cover and make you sign that?—I signed for only one.

3357. You say there were two money-letters?—There was one with two halfpence in it, and I received this letter, and I opened it, and there were two bad halfpence, and I smacked it down, and said, if I had known I would not have given him a penny for it; and then I opened the other, and there were two sovereigns in it.

3358. The postman made you sign one money cover, and you did not sign the other?—He ordered me to sign this paper; that is what he said to me.

3359. Did you pay the postman a penny for each of the letters?—I did.

3360. You paid him twopence altogether?—I paid him a penny for the one, and I gave him a penny for the other.

3361. You gave him twopence altogether?—Yes, not all together; I gave him a penny at one time, and then a penny for the other.

3362. Were the two letters directed just in the same way?—Both of them directed to my name, "Robert Ellison, Walm-gate," in one way, in one direction.

3363. In the same writing?—I think so, as near as I can judge; they were both as near like as I can judge; I do not allow myself to be a judge of writing particularly.

3364. You know the difference between printing and hand-writing?—Yes.

3365. Was there upon both of those covers both printing and hand-writing?—They were both alike.

3366. Was there some printing upon both?—I am sure I forget.

3367. Mr. *Wrangham.*]—When you speak of the hand-writing upon the directions being, as you thought, pretty much the same, are you speaking of the direction on the letter itself, or the direction on that paper which you had to sign?—I do not remember seeing any at all but my own name; I do not recollect looking at the back side.

3368. You are not speaking of the covers, but of the direction upon the two letters themselves?—Yes.

3369. *Committee.*]—Your son's name is Robert as well as yourself?—Yes.

3370. Have you ever heard that the letter with the two halfpence was intended for your son?—I cannot tell that; I never said anything about it to him.

3371. He never received any sovereigns?—He received one; he told me he received one himself.

3372. Is that your hand-writing to the receipt?—I think it is.

3373. Are you not sure that it is?—I cannot swear to that.

3374. You say that you complained to your neighbours that you did not get what other freemen got; was it after you had been making this complaint to your neighbours that you got the letter?—It was better than three weeks after I got the halfpence and the sovereigns both together.

3375. What did your neighbours say when you complained?—They said that they thought they were d——d rascals.

3376. Who were those who took the money, or those who received it?—They thought the committee who had sent them out were d—— d rascals for not sending me any, for I was an old freeman.

3377. That was the opinion of your neighbours?—Yes.

3378. Was the postman by when you opened the letter?—Yes, he was beside me.

3379. Which letter did you open first?—I opened the letter with two halfpence first.

3380. Are you quite sure you received two sovereigns in either of the letters?—I will take my oath to it I did.

3381. Do you recollect what you did with the two sovereigns when you received them?—Yes, I do.

3382. What did you do with them?—I said to my wife, get those things out of pawn that we had in.

3383. What were those things that you got out of pawn, do you recollect?—Yes, I do.

3384. What were they?—They were three coats, two pair of trowsers, and a shirt of mine, and two gowns of wife's.

3385. From whom did you get them out of pawn; Mr. Wood?—Yes, Mr. Wood; he is a pawnbroker.

3386. Where does he live?—In Lady Pickett's-yard.

3387. Did you tell anybody that you had two sovereigns?—Yes, I told everybody that I met.

3388. Can you mention any one person that you told it to?—I told it to neighbours. There was one of the neighbours came and told me that the post-lad was inquiring for me.

3389. What did you say to the postman when he gave you the letter with bad halfpence?—I d——d him, and said I would not have given him the money for it.

3390. Did you tell him that before he gave you the second letter?—Yes, I spoke the word, and it was about as quickly as the other came.

3391. Did he put the other into your hand?—He gave it me, and said he wanted another penny.

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3392. He gave you first the letter with bad halfpence in it?—Yes, and I said, d——n it, if I had known I would not have given him a penny.

3393. Then he gave you the other letter?—Yes, as soon as I could speak.

3394. Why did you give him a penny for this letter?—He charged me the penny.

3395. Then the postman first gave you one letter and made you pay postage, and when you had paid the postage for one letter, he gave you another letter and made you pay a separate postage for that?—He said it was a penny, and I gave it.

3396. Then he took a penny for one letter, and then gave you the second letter, and took a penny for that?—Yes.

3397. Mr. *Anderson.*]—Did you open the letter containing the two sovereigns before you signed the receipt?—Yes, I did; I signed it after.

3398. You signed it after you had opened it and seen that there were two sovereigns?—Yes; I did not know that he had any paper to sign, or anything about it till he gave it to me, and I was sitting beside the table and put my name to it.

3399. Did any of your neighbours show you letters that they had received, containing two sovereigns?—I cannot say that they did; but they told me that there was a deal of men who had got letters with two sovereigns in them.

3400. A deal of men?—A deal of freemen.

3401. Do you recollect the names of any particular freemen who told you so?—I am sure I cannot speak to it, because we were talking in the street; there were more than one, or two, or twenty; I think there were a good many together; I cannot exactly say the number.

3402. Do you know the name of the letter-carrier who delivered those letters to you?—I do not know; he is a low man; I know the man, but I do not know his name.

3403. Were those 20 or more Dundas's men?—I cannot say exactly.

3404. You cannot tell whether they were Dundas's or Lowther's men?—I cannot say.

3405. This couple of sovereigns seems to have been very useful to you?—They were very good to me, for I was very ill at the time.

3406. You would be very thankful to receive a couple more?—Yes; it is no use my saying that I would not.

3407. Mr. *Anderson.*]—Do you recollect a man delivering parcels in Walmgate?—Yes; I cannot say whether they were sovereigns or not; I never opened one.

3408. Who was that man?—He belonged to the coach-office.

3409. Do you know his name?—No.

3410. Was his name Shepherd?—I cannot say.

3411. But he belonged to the coach-office; which coach-office?—The Tavern.

(*The Receipt was delivered in and read, being dated 4th of May,* 1835.)

[The Witness withdrew.

Mr. *Robert Carr,* called in; and Examined by Mr. *Anderson,* as follows:

Mr. *Robert Carr.*

3412. YOU are a druggist residing at Michael-gate, York?—Yes.

3413. Were you one of Mr. Lowther's committee on the last election?—Yes.

3414. Were you also a member of his committee in the election of 1832?—Yes.

3415. At the election of 1832 were men set down for Mr. Lowther?—Messengers were set down.

3416. After the election, was there any remuneration paid to those messengers?—Yes, I believe they were paid something.

3417. What was that remuneration?—I am sure I cannot say; it was according to the number of days they were employed, I believe.

3418. Do not you know that those who had plumped for Mr. Lowther received 3 *l.*, and those who had given him a split vote received 1 *l.*?—There were payments of from 1 *l.* to 3 *l.*, but whether on the ground of being a split vote or a plumper, I do not know.

3419. Do

3419. Do not you know that 3 *l.* was paid for a plumper, and 1 *l.* for a split vote? Mr. *Robert Carr.*

[The Witness was directed to withdraw. 13 August 1835.

Mr. *Wrangham* objected to this mode of cross-examination.

The *Chairman* stated that he gathered the opinion of the Committee to be that Mr. *Anderson* was not authorised to pursue such a course.

Mr. *Robert Carr,* again called in; and further Examined by Mr. *Anderson,* as follows:

3420. What situation in the committee did you hold?—I was one of the general committee.

3421. Were you an active member of that committee?—As one of the general committee, I was.

3422. Were you not particularly active in the district of Michael-gate Ward?—Yes.

3423. Who was chairman there?—Mr. North.

3424. Were you present in 1832 at any meeting of the committee when it was determined to pay the voting money?—No; I do not know that I was.

3425. Answer me directly?—I was at no meeting where any voting money was agreed to be paid.

3426. Were you at any meeting when any money was proposed to be paid?—Yes.

3427. What was that meeting?—A general meeting called by the committee.

3428. What was the determination of that meeting?—That the messengers were to be paid according to the time of their being employed.

3429. Was the list of the messengers produced at that committee?—I do not think that it was.

3430. Was there a list kept of the messengers?—Yes, I believe there was one; but who kept it I do not know.

3431. Whose duty would it be to keep that list?—I do not know.

3432. You have no idea?—Not at all.

3433. Was the number of messengers mentioned?—No.

3434. Did you pay any of those messengers yourself?—No.

3435. Were you present when any were paid?—Yes.

3436. Where was that?—That was at the George Inn.

3437. Were they all paid there?—I will not say all; I do not know.

3438. How many were paid there?—I am sure I cannot say.

3439. To the best of your knowledge, what number were paid there?—That I cannot speak to.

3440. Give us your opinion about it?—There might be 100 or 200 paid.

3441. Might there not be 500 or 600?—No.

3442. Might there not be 400?—I could not speak exactly.

3443. Can you not speak to it?—Not more than I have stated, 100 or 200; whether 50 or 100 more, I cannot say.

3444. Have you any doubt that there were 400?—Yes, I should doubt of there being 400.

3445. Would you have any doubt that there were 300?—Yes, I should almost doubt there being 300.

3446. You would almost, but not quite?—Yes, I should doubt it.

[The Witness was directed to withdraw.

Mr. *George Hicks Seymour* again called in; and further Examined by the Committee, as follows:

3447. HAVE you examined the list?—I have marked through this book, which I now produce, and I can say that all these that I have ticked are correct with the original poll-books; and the other two gentlemen who are now finishing will speak to the other part which they have taken, and the whole together will form a complete copy. Mr. *G. H. Seymour*

3448. How far have you proceeded?—I have gone through three poll-books.

3449. Will you state what books those are? That book which I produce, if it

r. G. H. Seymour. 3 August 1835.

is now taken into the custody of any person, shows what I have done, because there every name ticked is done by myself, and I am answerable for that.

3450. Have you found any errors between the printed poll-book and the other poll-book?—I have not with this exception, that two or three have polled twice.

3451. You have gone through three books?—Yes, and part of another.

(The Witness was directed to sign his name to those books which he had gone through, and in that which he had commenced, to make a mark to the side of each page.)

[The Witness withdrew.

Mr. *Wrangham* objected to the line of examination pursued by Mr. Anderson and Mr. Carr.

Mr. *Anderson* contended that the Witness was a hostile Witness.

The *Chairman* stated that he did not conceive that any fresh ground had arisen for regarding the Witness as a hostile Witness since the last discussion.

Mr. *Robert Carr*, again called in; and further Examined by Mr. *Anderson*, as follows:

r. Robert Carr.

3452. WILL you state what number of messengers there were, to the best of your knowledge, in 1832?—I do not think they much exceeded 200, to the best of my knowledge.

3453. Did you see any of them put down?—No.

3454. Were their names put into a book at the time that you paid them?—I did not pay them.

3455. Were the names put into a book at the time when they were paid?—No, I think not.

3456. Who did pay them?—Mr. Harwood.

3457. Had Mr. Harwood any book before him?—Yes.

3458. What was that book?—It was a book in writing.

3459. Did he appear to be putting their names down at the time?—No; he ticked them off as he went on.

3460. Then he must have had a list by him?—It was a written book that he took them out of.

3461. Do you believe that that book contained a list of the names?—Yes, as far as I know, it did.

3462. You say he ticked them off as he paid them?—Yes, of course; he ticked them off as he paid them.

3463. Was it not a matter publicly talked of, that the voters after the election of 1832 had been paid 3 *l.* a man?—No, I do not know that it was.

3464. What were the sums to the best of your recollection that were paid when you saw them paid?—I saw them paid 25 *s.*, and 30 *s.*, and 35 *s.*, and 40 *s.*, and so on, as they had drawn little sums beforehand for subsistence.

3465. Were any of them paid 3 *l.*?—Yes, some were paid 3 *l.*

3466. How many do you think?—I am sure I cannot state how many.

3467. Will you inform the Committee as nearly as you can?—I cannot indeed speak to any number at all.

3468. Can you state whether there were 100 or 200?—No, I cannot take upon myself to say whether there were 100 or 200.

3469. Were there a greater number paid 3 *l.* than any other sum?—I am not certain of that even.

3470. Mr. Petre, I think, was a condidate at that election?—Yes.

3471. Have you not heard that he set down freemen at that election?—Yes.

3472. You have heard so?—Yes.

3473. Was it not a current report in the town that he had done so?—Yes.

3474. Was it not also current that Mr. Lowther had set down men for that election in the same manner?—I heard that they were put down as messengers.

3475. Or runners?—Yes.

3476. And the report was that Mr. Lowther and Mr. Petre had put them down as runners?—Yes, or messengers.

3477. You know what is commonly meant by "setting down" at the York election?—Yes.

3478. Did

3478. Did Mr. Petre pay his men that he had put down?—That I cannot say; I was not one of his committee, and therefore I cannot say.

3479. Was it not matter of notoriety in York that he did not pay those men?—It was a great disappointment to the runners that they had not got paid.

3480. Did he not become very unpopular in consequence?—Yes, I believe he became unpopular on account of not paying what he promised.

3481. Then you consider that if a candidate put down freemen and did not pay he would become unpopular among the freemen?—That depends altogether upon the manner in which the promise is made.

3482. We have the manner; do you not consider that if a candidate was to put down the freemen, and did not pay them, it would necessarily make him unpopular?—Certainly it would, if he promised to pay them as runners or messengers.

3483. Was it not publicly talked of, that Mr. Petre's conduct in not having paid that money was dishonourable?—Yes.

3484. Would you not have considered it also dishonourable in Mr. Lowther if he had not paid the money set down?—I should consider it would have been dishonourable if he had not paid the messengers whom he had engaged.

3485. I have used the word "setting down;" you have stated that you know what was meant by it, and you must now answer my question: Would you not have considered it also dishonourable in Mr. Lowther if he had not paid the money set down?—As messengers, of course, I should.

[The Witness was directed to withdraw.

Mr. *Wrangham* objected to this line of cross-examination.

Mr. *Anderson* submitted that the question objected to was a proper question.

The *Chairman* suggested that the question should be put as respected the setting down as messengers.

Mr. *Robert Carr*, again called in; and further Examined by Mr. *Anderson*, as follows:

3486. Do you know the meaning of the words "setting down," as used in the York election?—Setting down as messengers to be employed, to be paid according to the time they are employed.

3487. Then Mr. Lowther having set down messengers, would it not have been equally dishonourable in him if he had not paid, as the town considered it in Mr. Petre not having paid?—Certainly it would.

3488. Would not the payment or non-payment of the messengers materially affect the success of a candidate at a future election?—Yes, of course it would.

3489. Mr. Lowther, I believe, was not returned in 1832?—No.

3490. In 1835, I believe, he was returned?—He was.

3491. Mr. Dundas in 1832, I believe, stood upon what are called in York "purity principles?"—Yes.

3492. That is, he would pay nothing that was illegal?—He would pay nobody anything.

3493. And he also lost his election in 1832?—Yes.

3494. Do you consider that a candidate standing upon principles of purity, as Mr. Dundas did in 1832, has any chance of being returned for York?—I do not know; that will depend upon circumstances altogether.

3495. Will you give me your opinion, if he would have any fair chance, as matters are now carried on in the York elections?—If he stood upon the exact and determinate principles that Mr. Dundas did, of course he would not, because he would employ neither one thing nor another in reason.

3496. Mr. Bayntun was returned at that election?—Yes.

3497. Did any other candidate at the election of 1832, except Mr. Lowther, pay the messengers in the manner that you have stated?—Yes, I understood there was a number of Mr. Petre's that did get paid; but the majority did not get paid.

3498. In 1835 was there a setting down again in Mr. Lowther's committee?—The committee did not set any down.

r. *Robert Carr.*

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3499. Was there a setting down at all on behalf of Mr. Lowther?—His messengers.

3500. Who set them down?—I am sure I forget the man's name now; he is here in London, I think.

3501. Have you no idea of his name?—No, I have no idea of his name.

3502. Is it Leadley?—Yes.

3503. Did he set down for the entire town, or for one district?—I cannot say as to that; I cannot speak to it.

3504. Did you set any down yourself?—No.

3505. What number of messengers were set down in 1835 on the part of Mr. Lowther?—I cannot say, indeed. I never had the books to look at. I never counted them.

3506. Who kept the book?—I do not know.

3507. How many do you believe were set down on the part of Mr. Lowther?—I am sure I have no idea.

3508. Do you think there were more set down in 1835 by him than in 1832?—I cannot say.

3509. What do you believe?—I do not know that there was more one time than another that I know of.

3510. Have you no belief upon it?—No, I have no knowledge at all.

3511. I do not ask you as to knowledge but as to belief, as a member of the committee; were there more set down in 1835 than 1832?—I really do not know; I cannot say.

3512. Do you mean positively to state that you do not know that there were considerably more set down in 1835 than in 1832?—No, I do not know.

3513. And you do not believe?—I believe there were some more set down, because many that supported Mr. Bayntun before supported Mr. Lowther then.

3514. You have already stated that messengers being put down, it would be dishonourable not to pay them; have you heard any such dishonour attributed to Mr. Lowther since the election of 1835?—Yes; I heard some complaint a few weeks ago that they had not paid their running-money, or messengers' money, whichever it is called.

3515. From whom did your hear those complaints?—I cannot speak to the names of them, because I know them as freemen merely passing by.

3516. Can you tell me one?—No; I cannot speak to one at present personally. I know very few of the freemen by name; by sight I know them very well.

3517. Do you mean to say that Mr. Lowther does not stand well in the opinion of the poor freemen?—He stands very well, because he has protected their rights.

3518. Do not you also think that one reason of his standing well is, that he is considered to have paid the freemen since the last election?—To have paid his messengers, certainly.

3519. But if he had not paid his messengers since 1835, your opinion is that he would not have stood well?—Not so well as he would by paying his engagements to those whom he employed.

3520. When did Mr. Lowther pay his messengers?—I am sure I cannot say; I do not know indeed.

3521. Did you never hear?—No, I never heard.

3522. Was not a meeting of the committee called to determine that?—I do not know, for I did not attend many of the meetings of the committee after the election; I was busy at home.

3523. Have you heard of any payment of Mr. Lowther's messengers since the election of 1835?—Yes, it was talked of their being paid.

3524. When?—Some time in March.

3525. Can you tell me any one that was paid in March?—I do not know any one in particular that was; but I understood they were paying in March.

3526. Where were they paying in March?—I do not know, I am sure.

3527. Would it not be publicly known in York if any such thing had occurred as the payment of Mr. Lowther's election?—It might be; but as I was not out I did not make any inquiry about it; I was quite busy at home.

3528. Could the payment of the number of messengers you have mentioned have taken place in York, in March last, without being publicly known?—Not to me, the whole of them, I could not be very well.

3529. How much were they paid?—I do not know.

3530. You never heard of that?—No.

3531. Not in March?—No.

3532. Have you attended Mr. Lowther's committee since the election?—No; I have never been at one committee meeting since the election, I believe.

3533. Then the payment that you have alluded to was before the sovereign letters were sent; am I to understand that?—Yes, before any letters were talked of.

3534. I believe the sovereign letters were talked of in April; do you recollect the time?—Yes, I think it was about April.

3535. Was it not matter of public notoriety in York that these sovereign letters had come from or on account of Mr. Lowther?—Some people said so, and some said not.

3536. Will you give a positive answer to my question?—It was said that it was, and it was said that it was not.

3537. Was it not a matter of public notoriety that they had come from Mr. Lowther?—No; I do not know that it was stated more so than the other party.

3538. Do you mean to say that any one supposed that any of those letters now spoken of came from Mr. Dundas?—Yes; I had Mr. Dundas's men call at my shop to inquire if a letter had not been left; some of his voters called for letters, whether they were left.

3539. Will you name any one of those voters?—A man they call Cammage, he lives in Nunnery-lane, he called three or four times.

3540. Do you mean to say that Cammage did not vote for Mr. Lowther?—I do not mean to say whom he voted for.

3541. You have stated that he voted for Dundas?—Yes, and I think he has.

3542. Did he not vote for Mr. Lowther as well?—He might for anything I know.

3543. Is he the only voter for Dundas that called at your shop?—No; I do not know whether there was not one Sandon that called, but I am not certain.

3544. Was there any other voter for Dundas that called at your shop?—I will not say whether there was; there were several called, yet I never asked them their names.

3545. Did you see what those letters contained?—No, I never saw one opened.

3546. Were not many inquiries made at your shop for them?—I do not suppose that I had a dozen inquiries; I do not think I had a dozen inquiries from one party or the other altogether.

3547. Did you see any of the letters upon which was addressed any remark that they were to lie at your shop if the parties could not be found out?—Yes.

3548. If they had been sent by Mr. Dundas would it have been likely that you would have been a referee upon the subject?

[The Witness was directed to withdraw.

Mr. *Wrangham* objected to the question as an immaterial question, being an entire matter of inference.

After some discussion, the Chairman stated that he thought the question might be put.

Mr. *Robert Carr*, again called in; and further Examined by Mr. *Anderson*, as follows:

The question was read to the Witness.

Answer.—I cannot speak to that.

3549. Is that all the answer you can give to that question?—I might have been, I might as likely as not for anything I know; Dundas's friends and I were very intimate; many of them are my best friends.

3550. Do you mean to insinuate that Mr. Dundas sent any letters?—I do not know that Mr. Lowther sent any or Mr. Dundas either.

3551. Do you believe that Mr. Dundas sent any letters after the last election?—I do not know that he did.

3552. Is it not the general belief in York that the letters sent in April came from Mr. Lowther?—Some believe it is and some not, certainly.

3553. Is that the only answer you can give to that question?—I have heard it said not, and I have heard it said yes.

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3554. Is that the only answer you can give to that question?—Yes; I cannot speak more about it.

3555. Do you mean to say it is not the general belief in the town that they came from Mr. Lowther?—I do not believe it is.

3556. Do you believe it?—I do not believe that he sent them.

3557. Do not you believe that they were sent on his account, or on account of his election?—I do not know that they were.

3558. Do not you believe it?—No, I cannot speak to belief.

3559. Is not such the belief of the town of York?—I cannot speak to the belief of the town.

The *Chairman* intimated that there was sufficient evidence of the belief of the town upon this point.

3560. Mr. *Anderson.*]—Mr. Barkley was a candidate at one of the last elections?—Yes.

3561. Did he not stand on the principles of purity, as they are called in York?—He professed those principles.

3562. Did he not profess those principles publicly on the hustings?—I cannot speak to that; I heard him speak only on the day of nomination and the election.

3563. Did you ever hear of any letters being sent by Mr. Barkley after the election to his voters?—No.

3564. Have you any reason to doubt that Mr. Barkley did act up to the principles of purity at the last election?—It depends upon what you mean as regards the principles of purity of election, because intimidation is as much as a bribe in my estimation, and that was certainly very much used in the last election.

3565. By whom was it used?—By Mr. Barkley and his party.

3566. In what respect?—By attacking the district committee-room of Mr. Lowther; I was one that was attacked.

3567. Which district room do you allude to?—Michael-gate Ward.

3568. Was that on one occasion or on two occasions?—Mr. Barkley came himself once, and his party came afterwards.

3569. When was it that Mr. Barkley came?—In the morning of the first day of polling.

3570. In what way did Mr. Barkley attack you?—He came and looked over the blind of the window, and his party along with him made a rush to the door and wanted to get in, and they were repulsed by the men with the staves outside the committee.

3571. By Lowther's men?—Yes.

3572. Is that the only instance of intimidation?—No, the next was between the hours of 12 and two on the first day of polling. I heard a noise at one of the committee-room doors, and I went out; I shut the door after me, and placed my back to the door, and Mr. Hands, in Michael-gate, Mr. Lund, in Fetter-lane, and a number more, then came up and charged me, and those concerned in the election, with bribery, and that that was the bribing room, and making them drunk, and taking them in at one door and turning them out at another. I told them it was not so, and they still persisted in their declaration; I then told them it was a lie, and Mr. Hands still persisted in it, and said he knew we were bribing; in the moment of time I was rather irritated, and I told him it was a d——d lie. They then again repeated their declaration that we were bribing, and they knew it, they said; and I addressed myself to Mr. Hands, and said, "Mr. Hands, will you tell me who has got a bribe, or who has paid one, and then I will be satisfied."

3573. Was there any other instance of intimidation?—These are the only two that I met with in that committee-room.

3574. The only two you know?—There were many more in the Michael district that I heard of.

3575. As far as your knowledge goes, those are the only two you know?—Yes.

3576. How many committee-rooms were kept at York during the election?—Four or five; I will not say which.

3577. Did you attend your district committee-room often during the polling?—Yes, I was backwards and forwards perhaps every hour in the day.

3578. Did you see many men drunk?—Not so many as I have seen on a former election.

3579. Did you see many drunk?—No, I cannot say that there were many.

3580. Had you liquors occasionally in the rooms?—Yes, there were a few bottles of wine and sandwiches, lunch for the committee.

3581. No

3581. No ale?—No, I never saw any ale in the committee-room.

3582. Did you give notes with the voters when they went up to poll?—No.

3583. Or after they came away?—No, I never saw any given, and never gave one.

3584. Who were on the district committee besides yourself?—There were about 20 or 30 for Michael-gate Ward.

3585. Mr. John Brancharde Child, was he one?—I cannot say; he was on the committee in 1832.

3586. Mr. Dibb?—Yes

3587. When the money-letters came in April last, how many of them came to your shop?—Two.

3588. Do you recollect the names?—One man they called Ellis, living in Skelder-gate; the other was named Taylor, living in Michael-gate.

3589. What did you do with them?—They were called for.

3590. Had those letters any memorandum that they were to be left at your shop?—Yes, marked at the corner, "If not found, to be left with Mr. Carr, of Michael-gate."

3591. Did you give a receipt for them yourself?—Yes, to the post-office.

3592. Did you give them to the men for whom they were directed?—Yes; there was a man called, and said his name was Taylor; I gave it to him, and Ellis also.

3593. Did you see the man when he left them at your shop?—Yes.

3594. Did he state why he left them there?—He said, here is a letter to be left here, because not found.

3595. And he could not find the man?—Yes.

3596. You knew the men?—No, I never saw them before, and never saw them since they got the money; they were both strangers to me.

3597. Did you express any surprise to the postman?—He said, here is a letter for you; and I said, what is it? he said it is a money-letter; he could not find the man, and it was to be left at my shop; I said, I suppose I must take it in.

3598. That is all you said?—Yes.

3599. And you signed your name yourself, without any hesitation?—Yes.

3600. You never opened the letter?—No.

3601. And each of those letters, as far as you know, may have contained 100 *l.*?—Yes, for what I know, or they may have contained farthings.

3602. Had any intimation been given to you beforehand, that those letters would probably come to your shop?—No, none whatever.

3603. And yet you signed the receipts to the post-office, without asking any questions?—Yes.

3604. Do you recollect a man of the name of Cammage?—Yes; a man of the name of Cammage called for a letter; I had not one.

3605. Did he call upon you afterwards, and tell you that he had got it?—No.

3606. Robert Dixon; do you know him?—Yes.

3607. Did he ever call upon you for a letter?—No.

3608. What is the number, as far as you can recollect, of persons that did call?—I do not think a dozen called altogether.

3609. Did you sign your own name to the receipt?—Yes, I put R. Carr to it.

Cross-examined by Mr. Wrangham.

3610. So you say that you received no previous communication, that letters of that kind would be returned to your shop?—None at all.

3611. Supposing those letters not to have been money-letters?—I should have taken them in, because I have letters very often left at my shop for the out-town customers.

3612. You keep a druggist's shop?—Yes.

3613. You have been more employed in dispensing drugs since the election, than in attending meetings?—Yes; my apprentice left me in January, and I have been attending to business; I have been very little out for the last five or six months.

3614. You have been asked about the drunkenness at this election; I ask you, whether using the best means of knowledge that you had as a committee-man and an active supporter of Mr. Dundas, this is true, "that liquors were at the last election furnished at the expense of the said John Henry Lowther, to his voters and supporters, to such a profuse extent, that there were then more disgraceful

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scenes of drunkenness in the streets of York, than had been witnessed at any previous election during 10 years last past; and that a public breakfast was provided and given gratis to the committee, agents, and voters of the said John Henry Lowther, on the morning of his nomination, and in the same dwelling-house where he himself resided during the election." Is it true that liquors were supplied to that profuse extent by Mr. Henry Lowther, that more disgraceful scenes of drunkenness have been witnessed in the streets of York, than had been witnessed at any previous election during 10 years past?—I think there was more drunkenness in 1832 and 1830, than there was in 1835.

3615. You have told us of two cases of Mr. Barkley and his party coming to your committee-room, and you said that they were repulsed by the men outside; are those men stationed outside, persons who come under the denomination of messengers?—Yes; there were some few placed outside to protect the doors.

3616. Are those of that class of persons employed in that way, who are paid as messengers?—Yes.

3617. When those parties came, you have been asked what the words used were; what was the demeanour of the parties, was it peaceable or violent?—Very violent, as violent as they could possibly demean themselves.

3618. You have told us all that Mr. Barkley did?—Yes, I cannot speak personally to anything more; that I know he looked over the window, and said that it was higher than the Act of Parliament allowed.

3619. And he was higher even than the window, so that he was above the statutable height?—Yes, he had to elevate himself.

3620. You have been asked whether Mr. Lowther does not stand very well with the freemen of York; and you have been asked also, whether that is owing to his having paid his messengers, and I think your answer was, that he was popular also, because he had protected their rights?—He also stands well with them, because the Blue party are not divided as they were in 1832.

3621. You mean by protecting their rights, in consequence of the votes he has given in Parliament?—Yes.

3622. You have said, that you believe that there might be more men set down as messengers in 1835 than in 1832, because many that supported Mr. Bayntun before supported Mr. Lowther then; do you mean that you had greater facilities in obtaining messengers then, in consequence of the greater number of supporters?—Yes.

3623. You have been examined at great length about Mr. Petre, and I shall not go into that; but you have stated that it was considered dishonourable that Mr. Petre did not pay the messengers whom he had promised to pay, and that it would have been considered dishonourable if Mr. Lowther had followed the same course?—Yes.

3624. You were then asked whether the non-payment by Mr. Lowther, supposing him not to have fulfilled his engagements, would not have had an injurious influence upon his chance in another election, and you said it would; am I to understand from that, that dishonourable conduct on the part of the candidate would damage him with a view to another election?—Yes.

3625. You have been asked whether it was not currently reported in York that Mr. Petre had set down men and promised to pay them; can you tell what the report was?—The first report was that they were to be 10 days, 5*s.* a day; and that was altered to 12 at 5*s.*

3626. Was it afterwards put higher than that?—I cannot speak to that.

3627. There was as the election went on an increase?—Yes, at the commencement of the polling.

3628. You have told us that you saw several of the messengers for Mr. Lowther paid in 1832, sums varying from 20*s.* to 30*s.*, and some as high as 3*l.*?—Yes.

3629. Was it any part of your business to watch what was going on in paying messengers?—No, not particularly so.

3630. Did your occupation rather lie in your own neighbourhood?—Yes, generally it did.

3631. You reside at Michael-gate?—Yes.

3632. So that you were rather employed in canvassing among your own friends?—Exactly.

3633. Do you, being here as a witness, believe this to be true, "that the said John Henry Lowther was the individual from whose purse the said sovereigns had come?"—I said before that I did not believe it.

3634. Do you believe this from your experience in York elections, "that to such an extent does the practice of bribery prevail in elections for the city of York, that the representation of the city may be said to be offered to the highest bidder?"—No.

3635. You have said that Mr. Dundas in the year 1832 stood upon what were called purity principles?—Yes.

3636. That is, employing nobody even in reason?—No.

3637. And you stated that you thought that was a course of proceeding which would not encourage the hopes of any candidate at York?—I said, under the circumstances in which Mr. Dundas came.

3638. Are you aware whether Mr. Dundas's parliamentary conduct pleased the freemen?—Sir Thomas Dundas certainly did not.

3639. Did he not vote for the disfranchisement of the freemen?—Yes.

3640. And was not that made a great handle against him at the election following?—Yes, he would not have got in on any account. I do not think that it is possible.

3641. Did not Mr. Petre put forward the opposite reason, his having voted the other way, as a ground of supporting him?—Yes, I think he did.

3642. Then, in point of fact, those votes influenced the opinions of the voters at York?—Certainly, very much.

3643. After the election in 1832, Mr. Lowther's messengers were paid; but as I understand you, none were employed by Mr. Dundas; when was the last election?—I think it was in 1833.

3644. Who were the two persons put in nomination then?—Mr. Dundas was proposed, and Mr. Lowther was put up by the freemen voluntarily at the nomination.

3645. Which of those two gentlemen was returned?—Mr. Dundas.

3646. By a very considerable majority?—Yes.

3647. Did you take any part in that election?—No, nothing of consequence.

3648. Was there a committee formed?—Yes; but I had before promised my vote conditionally to Mr. Dundas. I could not take any part against Mr. Dundas, nor could I vote for Mr. Dundas.

3649. Have you ever heard that any messengers, or anything of that kind, were paid after that election on the behalf of Mr. Lowther?—I never heard of it.

3650. Mr. Lowther himself was not there?—He was not.

3651. You say, that standing upon those extremely economical principles is not likely to promote success at York?—It depends upon the general political principles of the gentleman who comes forward; it would not certainly answer for Sir Thomas Dundas.

3652. *Committee.*]—It depends upon the general political principles of the party coming forward?—Yes.

3653. Mr. *Wrangham.*]—You mean that that circumstance, coupled with the unpopularity of his principles there, would make his chance little or nothing?—Nothing at all.

3654. Have you ever heard a general rumour, I do not want to ask whether one or two people have said so, that money was paid by Mr. John Dundas subsequently to the election to messengers?—Yes.

3655. Has that been the current report in the town?—Yes.

3656. Have you ever heard it doubted or denied?—I have not heard it denied.

3657. Do you believe that, supposing no messengers had been employed on any side, and the election had been conducted without the expenditure of a single farthing, the result of it would have been different upon the last occasion?—No; exactly the same as it is; no doubt at all.

3658. So that you do not suppose that Mr. Barkley lost his election because he did not pay?—No.

3659. What did you attribute his defeat to?—To what he avowed politically, which was not consistent with the freemen's principles; too much destruction about it.

3660. Had he ever been a candidate at York before?—No.

3661. Had you ever heard his name before?—Yes; there was a bill issued out the year before, but it was withdrawn, but nothing before that handbill.

3662. Had he ever been in York previous to the last election?—I never saw him.

3663. Would that circumstance in your judgment account for the little support he got there?—No; that would be a matter of no consequence.

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3664. You think it attributable to his political principles?—I am quite certain of it.

Re-examined by Mr. Anderson.

3665. In 1832 you have stated that Mr. Lowther was thrown out?—Yes.

3666. In 1833 Mr. Dundas was returned, was he not?—Yes.

3667. The same Mr. Dundas that you say had lost the confidence of the freemen in 1832, in consequence of his political conduct?—Yes.

3668. But in 1833 there was no setting down, or even a committee appointed?—I do not know that there was.

3669. You did not take a part in it?—No.

3670. And no money was paid on either side?—I do not know that there was.

3671. And in 1833, no money being paid on either side, Mr. Dundas was returned?—Yes.

3672. Mr. Barkley professed himself a Reformer, did he not?—Yes.

3673. Will you state anything in his principles which you consider wrong; will you tell us what part of his principles were objected to?—The vote by ballot was objected to.

3674. That is by the Lowther party?—By the citizens generally, I believe.

3675. Did not Mr. Dundas also support the vote by ballot?—Yes; but there were many years during which his family had been connected with York, and that was in his favour.

3676. But Mr. Dundas professed the same principles?—Yes.

3677. Mr. Dundas professed the same destructive principles as Mr. Lowther?—Partly so.

3678. Was it not exactly so?—I do not know.

3679. Will you tell any principle professed by Mr. Barkley that was not professed by Mr. John Dundas?—No, I will not speak to any.

3680. You have said, in 1832 Petre's men, according to report in York, were to have 10 days at 5 *s.*?—Yes.

3681. But afterwards it was altered to 12 days?—Yes.

3682. In stating that, do you mean that that was the impression of the town at that period?—At the period of the election going on it was.

3683. That the voters were to have 3 *l.*, calling it running-money?—Yes.

3684. But in reality, do you not know that the runners, commonly so called, were not actively employed in any particular business?—I do not know whether they were or not, for I was not in his committee-room.

3685. Is not that the common practice in elections at York to call the head money by the name of running-money?—I do not know indeed for that.

3686. How many runners had Mr. Petre?—I do not know.

3687. What was the general impression in the town?—I do not know.

3688. Did you never hear?—Yes, I did hear, certainly.

3689. Will you state?—It was said that it was 900.

3690. Do you mean to say that when so many as 900 runners are put down at an election in York, it is expected that they should be actually engaged and give up their time in the management of that election?—I do not mean to say generally that it is done.

3691. Do you not know that it is not expected that they should?—They are expected to do what is called for by the committee generally.

3692. Would it be possible to give 800 or 900 men employment during the election in York for any useful purpose?—I cannot pretend to speak to that, for I am not sufficiently versed in elections.

3693. Will you listen to these words—"that since the expiration of the time allowed by the orders of the House for presenting election petitions, that is to say, on or about the 16th day of April 1835, a new and extraordinary system of bribery and corruption has been introduced into the said city of York, by or on the part of the said John Henry Lowther, two sovereigns having been sent through the York post-office to each poor voter who had given a plumper or entire vote to the said John Henry Lowther at the last election, and one sovereign to each such voter as had only given a split or divided vote; that the letters which inclosed the said sovereigns were respectively directed to each such voter in a feigned handwriting, and were all folded in a peculiar manner, the sovereigns being attached to the internal part of the letter by means of a glutinous substance called gum-arabic; that in some instances the letters so sent were superscribed (in addition to the name

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of the person for whom they were intended) with a direction, that in case the person could not be found, that the letter should be delivered to some member of the said John Henry Lowther's committee at the last election, or to some other person who was one of his agents or active partisans; that the postmaster or keeper of the post of the said city of York, or his letter-carriers, have taken receipts from the persons to whom the sovereigns were so remitted aforesaid, which receipts, to the number of several hundreds, are now, as the petitioners are now informed and believe, in the possession of the said postmaster (under the hands of the several parties who received the same) ready to be produced to your Honourable House, if your Honourable House shall please to order the production thereof, and that none of such money-letters have been sent to any persons who voted at the last election, other than such as voted for the said John Henry Lowther." Having heard that, supposing those facts were true, would you be of opinion that they raise a strong presumption that Mr. Lowther was the individual from whose purse the said sovereigns had come?—Am I to give my opinion upon that question?

3694. Yes. Supposing that the facts alleged in the petition were true, would you consider that they raised a strong presumption that the sovereigns came from Mr. Lowther?—If the whole of that declaration was true, it would certainly.

3695. *Committee.*]—You have said that Mr. Lowther had defended the rights of the freemen of York; to what particular rights do you refer?—When in Parliament, before he became a candidate for York, he protected their rights as regards the Reform Bill, not depriving them as they were to be; he has supported them at the same time in all the rights that they have enjoyed, rights of stray, and all other things as they had hitherto done.

3696. There were two letters left at your shop; supposing that no one had called for them, what would you have done with them?—They would have lain there till they were claimed; one lay five or six weeks, and the other did not lie more than three or four days.

3697. Supposing there had been no applicant for them, what would you have done with them?—I must have retained them, or taken them to the post-office, for I knew nothing about them, and the post-office might open them as returned letters.

3698. And all the letters which were left with you were called for by the parties to whom they were addressed?—Yes; I never saw but two left at my shop.

3699. To what party is Mr. Dundas supposed to belong?—The Whig party.

3700. What interest was Mr. Barkley supposed to stand for?—He was called a Radical, and a Jacobin, and all sorts.

3701. Do you mean to say that one party was considered the Whig party and the other the Radical party?—Yes.

3702. But you do not know that there was any difference between their principles?—Not any.

3703. They both wished for vote by ballot?—Yes, and I never heard them speak about it; I very seldom attended their declarations in the evening after canvassing.

3704. In their addresses that they put out there was no difference in political principles?—No, they were very short as regarded that.

3705. There are two Mr. Dundas's, Mr. Thomas and Mr. John Dundas; touching Mr. Thomas Dundas, who stood in 1832, he lost the confidence of the freemen because he stood upon purity principles, and because his political principles were too violent?—I believe his political principles were the principal thing that prevented his election.

3706. What are Mr. John Dundas's political principles?—Nearly the same as Thomas's, but he does not support the vote by ballot so strongly.

3707. But it was because Thomas held such violent principles that he did not get in?—No, his votes were objected to in voting for the freemen's rights being taken away.

3708. Was he a Whig?—As a Whig, he was as the electors would wish a Whig to be.

3709. Does John Dundas stand upon purity principles?—No, I believe not.

3710. If he had, do you believe he would have come in?—John Dundas or Thomas Dundas would have come in, but Mr. Barkley would not have come in; the reason why either of the Dundas's would have come in was from the respect to the family, and the electors choosing one that they knew rather than one they did not know.

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3711. If he had stood upon purity principles, you think he would have got in all the same?—Yes.

3712. But you do not believe that he did stand upon purity principles?—No, I do not think he did.

3713. There was a general report that Mr. Dundas sent letters to the freemen?—Yes.

3714. With sovereigns?—Gold.

3715. Do you speak from your own knowledge?—From general report.

3716. You were asked whether there was a report of Mr. Lowther paying sovereigns, and you could not speak as to him?—Yes.

3717. And the reason you gave was, because you went out very little?—Yes.

3718. You were not in the way of hearing what the reports were?—Yes.

3719. And you only heard the report of what Mr. John Dundas did?—Yes, I heard both, but there was a more general report about Mr. Dundas.

3720. How did you collect that report?—I had applications made at my own shop, "When is Mr. Lowther going to pay? Mr. Dundas has been paying this morning."

3721. You say that there were applications made to your shop by some of Mr. Lowther's voters, "When are we going to be paid? Mr. Dundas has been paying this morning;" what did you say?—I said I did not know, they must ask Mr. Lowther's committee if they were going to pay.

3722. Had you any of those letters which you delivered afterwards to the freemen at the time?—No, I had none then.

3723. How soon afterwards did you have those letters?—I am sure I cannot say, I took very little notice.

3724. Was it longer than six weeks?—I cannot speak indeed.

3725. Do you think it was as long?—I cannot speak.

3726. Do you think it was more than three weeks?—I cannot say whether it was seven days or seven weeks, I took so little notice at the time.

3727. When those persons got their letters did they say anything to you?—They called at my shop.

3728. When the persons got the letters?—I had but two letters at my shop.

3729. Had you a dozen applications for letters?—Yes; "Have you a letter for me?" and I said, What is your name? and they told me, and I said, No.

3730. Did they open those letters in your shop?—No.

3731. They merely took the letters?—Yes; and I never saw the men since nor before.

3732. Had you any idea that there was money in those letters?—I suspected that there was from the feel.

3733. What was the feel?—As though there was something in the shape of two farthings or two sovereigns; it might be the same size, sovereigns or farthings.

3734. You said it was as likely for Mr. Dundas's voters as for Mr. Lowther's voters to come to you for the sovereigns; had you made any arrangement with Mr. Dundas?—No, nor with Mr. Lowther either.

3735. Had you any connexion with Mr. Dundas?—Many of his party are my best friends.

3736. Have you ever voted for Mr. Dundas?—No, I promised him conditionally; I said if he stood in need of a vote against any other individual I would support him; but as Mr. Lowther was put up by the freemen, I thought proper to withdraw my promise, but not to oppose him.

3737. Do you agree with him in principle?—No.

3738. Do you object to vote by ballot, like the other freemen?—Yes.

3739. Why do they object?—They consider it an unreasonable thing that a man should be ashamed to give his vote.

3740. Do you think that is as much felt by the bettermost sort of people as by the freemen?—I do not know many of the bettermost sort of people have as much aversion to that as I have and the freemen too.

3741. What do you believe to be the meaning of the words setting down?—The meaning of setting down, as far as I understand, at elections is, that individuals employed at elections as runners and messengers were to be paid according to the number of days employed.

3742. Not according to the votes they give?—No.

3743. You never heard that?—No.

3744. Do you really mean to say that you think that any man that did not set

down men as messengers or runners would have a chance of being returned?—Yes, I think they would.

3745. Was Mr. John Dundas in Parliament during the Reform Bill?—Yes.

3746. How did he vote?—Against the freemen.

3747. He did not protect their rights?—No.

3748. At the last election were there any but three candidates, Mr. Lowther, Mr. Dundas and Mr. Barkley, and as two must be elected, and they did not like Mr. Barkley, and there were but three candidates, they must choose the other two?—Yes.

3749. Was the general impression upon your mind that Mr. Barkley's political opinions were more generally unpopular than those of Mr. Dundas?—Yes; and he being a stranger and not stating what family he was, it had an influence against him.

3750. You judge of that by the party who took the leading part in the election?—Partly so.

3751. Are you a chemist and druggist?—Yes.

3752. Do you sell gum-arabic among other things?—Yes.

3753. Was any demand made upon you for gum-arabic about the month of April?—No; I do not know that I had an additional customer then.

3754. Did not Mr. Barkley come down with a letter from Mr. Hume, Member for Middlesex?—Yes; I believe there was one printed in York.

3755. Do you know how Mr. Hume voted on the Reform Bill with respect to the freemen's rights?—I think he voted against them.

3756. Would not that be a guide as to the political principles of Mr. Barkley?—Yes; Mr. Hume would not be much liked by the freemen of York.

3757. Is it the custom for the Members of the city of York to make any payments for the inhabitants of the city, exclusive of the election, for charities or schools?—No, it is optional; if they choose to give anything they can.

3758. Do they, in point of fact, do it?—I do not know.

3759. Do they not give a plate at the races?—Yes; at the May and August meeting there is a Member's plate given, as a matter of course.

3760. They are not expected to give provisions at Christmas?—No, it is not expected.

3761. Coals and fuel?—No.

3762. Or any donations to the Friendly Societies?—It can be given if he pleases.

3763. In point of fact, do they occasionally send a donation to such societies?—Yes, I believe they do.

3764. Those go to the funds of the society generally?—Yes.

3765. Do the committee pay those donations and charge them?—I do not know that they do.

[The Witness withdrew.

James Leadley, called in; and Examined by Mr. *Anderson*, as follows:

3766. DID you receive any printed notice since the presentment of this petition?—Yes, a small paper I did.

3767. Was that a summons?—I got a summons besides.

3768. What was the notice?—I have it not with me.

3769. Mr. *Wrangham.*]—Was it giving you notice that you would be charged; was it signed "Joseph Parkes?"—I think it was, to the best of my recollection.

3770. Do you know what the contents of that paper were?—I do not know.

3771. Was it giving you notice that you would be charged?—Something of that sort.

The *Chairman* informed the Witness that he was not bound to answer any question which in the opinion of the Committee might criminate himself.

3772. Mr. *Anderson.*]—Where do you live?—In Walm-gate.

3773. In York?—Yes.

3774. In what trade?—A comb-maker.

3775. Whom did you vote for at the election in 1832?—For Mr. Lowther.

3776. In 1835?—For Mr. Lowther.

3777. Were you an active member of his committee?—No; I never hardly saw any of the committee, and I did not know any of them.

James Leadley.

3 August 1835.

3778. Were you employed by the committee in 1832?—Mr. Bell gave me the papers.

3779. Was he one of the committee?—I do not know that; he employed me.

3780. Was not Mr. Bell a very active supporter of Mr. Lowther in 1832?—He was the main man that I had any concern with.

3781. Was he not a very active supporter of Mr. Lowther in 1832?—I was very seldom or ever out of the room, except when I went to my meals.

3782. Was Mr. Bell a very active supporter of Mr. Lowther in 1832?—I am sure I never took any notice of that.

3783. You received your instructions from him?—Yes.

3784. What did he instruct you to do?—To set down voters' names when any came.

3785. Where was that?—It was at the George Inn, for one day, but after that we went down to Mr. Foster's, Tubber-gate Corner.

3786. Was the committee-room then at Foster's?—A little room there is.

3787. One of the district committee-rooms?—I am sure I do not know; the committee was up-stairs.

3788. How long did you continue setting down there?—I cannot exactly recollect, I am sure.

3789. Tell us as nearly as you can?—I dare say I was 20 or 21 days, in my opinion.

3790. Did you get paid for 21 days?—Yes, I did.

3791. At how much a day?—Seven shillings a day.

3792. Then you were the principal messenger or door-keeper?—No, I was never out of the room.

3793 Were you one of the clerks?—I do not know what they call it, I sat down the parties' names.

3794. Did you keep a book?—There was a list.

3795. Where is that list?—I do not know, for I never brought one away.

3796. To whom did you deliver it?—To Mr. Bell generally.

3797. Have you seen it since?—No, I never saw it after that time.

3798. Can you tell how many names there were in the list?—I cannot, for I never counted.

3799. Can you tell within 200?—No.

3800. Can you tell within 400?—No, I cannot, for I never counted them at all.

3801. But there were a good many names?—Yes.

3802. How much were they to have?—There was nothing of the sort mentioned that ever I heard not the whole time; I never heard any money mentioned anywhere.

3803. Were you present when they were paid afterwards?—No, I believe I was not.

3804. Just recollect yourself; were you present after the election of 1832, when those men were paid?—Yes, I believe I was.

3805. Where was that?—At the George Inn.

3806. The George Inn was Mr. Lowther's principal committee-room?—They were paid in that room where the coach-office is kept now.

3807. What were the sums that were paid?—There were three sovereigns for a vote, and for half a vote there was one.

3808. By a vote, you mean three sovereigns for a plumper, and one for a split vote?—Yes.

3809. Was there a list kept of the number that were paid?—I am sure I do not know about that, for I had no concern with the list at that time; I was only door-keeper.

3810. Can you tell within 200 or 300 how many were paid?—No, I took no notice of that.

3811. You cannot tell within 200 or 300?—No.

3812. There would be a considerable number, would there not?—Yes, but I never took any more notice about it.

3813. They were all very much satisfied?—I believe so; I do not know to the contrary.

3814. Was it not peculiarly gratifying to the plumpers that they got three times as much as the split votes?—I do not know.

3815. Do not you know that it gave satisfaction?—It was likely to give satisfaction to them.

3816. Did not Mr. Lowther's character in York with the freemen rise very much in consequence of his paying them so handsomely?—I cannot say anything about that.

3817. Do not you think it was paying them very handsomely?—Yes.

3818. Did you ever in your experience know any candidate that paid them so handsomely?—They never got above a guinea from each member, you know.

3819. That is on former occasions?—Yes.

3820. On former occasions they had never got above a guinea from each candidate?—No.

3821. And if a man gave a plumper, what did he get?—He got two.

3822. But in 1832 there were three for a plumper?—Yes.

3823. Was this well known in York, the payment of the three sovereigns and one?—No doubt of that.

3824. Every one would know it in York?—Nearly so, I should think.

3825. In 1832, was there not a general rumour in York that Mr. Petre had held out expectations of paying those other men that he set down?—Yes; there was an order out, I understand, that had come from you; they were to have 5 *s.* a day as long as the election lasted.

3826. Did you ever hear of Petre paying them?—No; a deal of them wants that.

3827. There is very great discontent in York for want of Mr. Petre paying them?—Yes; they ran away fast from Mr. Lowther, when you gave the order out.

3828. Then, as soon as you understood that I had given out an order for putting down on the part of Mr. Petre, a number of the men ran away from Mr. Lowther?—Yes.

3829. Who had previously been put down?—Yes; and would not stop till they were put down afresh, and there was nothing put down.

3830. *Committee.*]—Did they use Mr. Anderson's name?—Yes, many did.

3831. Mr. *Anderson.*]—It was a general report of the town that I had issued an order on the part of Mr. Petre to put them down?—Yes.

3832. Do I understand you right, that it was ascertained that a number of Mr. Lowther's men that had been previously put down left him?—Yes.

3833. In 1835, the last election, did you put any down at the election?—Yes.

3834. Where did you put them down?—I put them down at the George Inn.

3835. Did you put them down in a list?—Yes.

3836. Where is that list?—I am sure I do not know, for I never brought one away.

3837. With whom did you leave it?—It was generally locked up.

3838. Who had the key?—I had the key.

3839. To whom did you deliver that list?—I sent it up by one of the messengers at last into one of the committee-rooms.

3840. Did you never see that list again?—I never did; and I never saw any of them that I know.

3841. Was that list in a book?—It was not at first, and it was put in a small book after.

3842. It was first taken in sheets of paper?—Yes.

3843. Who put them in the book?—I did, alphabetically.

3844. Did you deliver the list and the book?—Yes, altogether.

3845. To whom did you send it?—I did not send it to anybody in particular; I said they were to take it to the committee-room.

3846. Who was the secretary to Mr. Lowther?—I do not know; there was Mr. Graham and Mr. Richardson there; and I expect he was, but I do not know.

3847. Did you expect that Mr. Graham and Mr. Richardson were the joint secretaries?—I cannot pretend to say, but I know they were both there.

3848. Were they the principal agents of the committee?—That I know nothing about.

3849. Did you receive instructions from them?—No.

3850. On no occasion?—I had instructions from Mr. Bell the first time, and I went the same way as I did then.

3851. Who instructed you in 1835, at the last election, to take down the names?—I took down the names in 1832, and I took down the names when they came in 1835.

3852. Who ordered you to do that?—There was a messenger brought me the papers in, and said I was to set down the names as they came.

James Leadley.

13 August 1835.

3853. Was that before the election commenced?—Yes, they were canvassing at that time; just began.

3854. Tell us what the instructions given to you were by that messenger?—That I was to set down the names for Mr. Lowther.

3855. As usual?—Yes.

3856. Was that all the instruction you received?—Yes.

3857. Did you see Mr. Graham and Mr. Richardson frequently while you were doing this?—No; I do not know that they were in the room while I was there.

3858. Did they know that you were doing this?—I do not know.

3859. Have you the least doubt that they did?—I do not know that they did.

3860. Have you any doubt that they did?—I cannot say anything to that.

3861. Do you believe that they did?—It is possible that they might do so, but I cannot say; I never saw them there.

3862. Do not you believe that Mr. Graham and Mr. Richardson knew when you were setting down those men, that you were doing so?—Well, I believe they did.

3863. Have you the least doubt that they did?—No; I have not a doubt that they did.

3864. Mr. Lowther, you say, had pleased the freemen very much with the 3 *l.* and the 1 *l.*; was anything said as to what they were to have in 1835?—No; money was not mentioned in any way at all.

3865. But they came much more freely in 1835 than in 1832?—I do not know; they came very freely in 1832 till that order was given out.

3866. But in 1835 they came very freely, did not they?—Yes, they came very freely in 1835.

3867. You had more come than in 1832, had you not?—I do not know; I cannot rightly say; I do not think that we had till we lost that number that you got.

3868. I am speaking of 1835, the last election?—Yes, I know.

3869. Tell us as nearly as you can how many?—I do not know, for I never counted them.

3870. Were there 1,200?—No, there could not be that number.

3871. Can you tell within 500 how many there were?—I cannot tell; I have no more idea than my hat.

3872. But there were a very great number?—Yes.

3873. As to your belief, what is the number?—I should wonder if there were 700 or 800, perhaps; but I never counted them.

3874. Did you ever count them?—I did not, indeed; I never troubled my head about that.

3875. Is it not one of the duties of the setter down to report to the secretary the number setting down?—I am sure I never did.

3876. Then your nearest calculation is, however, 800?—Yes, as near as I can guess; I do not pretend to know.

3877. Have you any doubt whatever that there were more than 800?—I am sure I cannot say.

3878. Do you think that there were more than 800?—I do not think anything about that; I had no more idea of it than nothing.

3879. Do you think about 800?—There might be about that; there might be more, or there might be less; but I cannot say.

3880. Did any of the freemen ask what they were likely to get?—Yes; but I told them that I never heard if anything was to be given, whether there was to be anything or not.

3881. But they all inquired, and were very anxious to know?—Mostly, they did.

3882. Was there anything said as to Mr. Lowther being a good fellow?—I never heard it mentioned.

3883. Was there anything said that they would be treated as they had been before?—No; I do not recollect hearing anybody say so.

3884. Could you swear that there was nothing of that kind said?—I can swear that I said nothing of that sort.

3885. Can you swear that nothing was said at the time of putting down?—I can swear that I never heard it mentioned at all.

3886. You have been concerned in elections many years, have you not?—Yes.

3887. You are an old man, what age are you now?—Sixty-seven, or nearly so.

3888. Tell the Committee what is generally understood in York, at elections, when

when a man is set down, what is the expectation of the man who allows his name to be set down?—If they have polled for a man who gets in, they get a guinea; if they give a plumper, then they get two.

3889. That has been the practice in York?—Yes, ever since I recollect.

3890. Supposing a candidate puts a man down, and does not pay him accordingly, it would be considered rather dishonourable, would it not?—They have always done so.

3891. Would it not be considered rather dishonourable of a candidate?—Of course it would.

3892. Would a man be in good favour with a freeman, if, after putting down, he had not paid?—I cannot say that.

3893. Yes, you can, you know very well; did Petre ever pay in 1832?—I believe not, some of them he paid.

3894. Did he not get into bad favour with the freemen in consequence?—Yes; there were some got paid, and some got nothing, you know.

3895. If Mr. Lowther had put anybody down, and had not paid them, the freemen would not have liked it?—They would not be very well pleased, I am sure.

3896. In 1835, the last election, the freemen being put down, when did they get paid?—I do not know whether they got paid.

3897. Have they not got paid?—I expect that they have.

3898. Is it not well known in York that they have been paid; have you the least doubt that Mr. Lowther paid those men that he put down?—I cannot tell that.

3899. What is your belief about it?—It is possible that it is so, but I cannot tell that it was Mr. Lowther's money that they did get.

3900. The freemen are generally satisfied that it is?—Apparently.

3901. Mr. Lowther is very popular in consequence?—I seldom or ever hear him mentioned.

3902. Cannot you explain to the Committee how Mr. Lowther paid those men since the last election?—No, I am sure I cannot.

3903. Have you any idea of it?—No.

3904. Did he pay any runners in March last?—I do not know that he did.

3905. Was there any general payment of runners or messengers in March last?—Not that I can recollect, in March.

3906. Was there at any time, that you recollect?—That which was paid after the election was for messengers.

3907. How many?—I do not know.

3908. Give us an idea?—Eight or ten.

3909. Were you paid then?—Yes.

3910. And, I suppose, all the men who were principally concerned as messengers?—Yes.

3911. And it would require about a dozen to attend at the doors, and so forth?—It would.

3912. When you put them down at the last election, did you make any difference between old people and young people, or persons that were lame, or halt, or blind?—Not at all.

3913. You took everybody that came, provided he was a freeman?—Yes, if he voted for Mr. Lowther.

3914. Was there any distinction to be made between them?—No, I made none.

3915. Except the distinction you have mentioned, that a plumper was counted more?—Yes; but there was nothing said about that.

3916. But the general understanding of the freemen would be to that effect, I suppose?—Yes.

3917. Then if you do not know of the payment since the last election, how comes it that the freemen are not very much dissatisfied?—I am sure I cannot tell for that.

3918. Have you no way of explaining that?—I do not know; they thought it came from Mr. Lowther, those letters. I cannot say anything at all about that.

3919. Am I to understand you to think that these letters satisfied those freemen?—That naturally would give satisfaction somewhere.

3920. They were all satisfied; am I to understand you to say that?—I cannot tell that.

3921. Have you heard of any dissatisfaction with Mr. Lowther among the freemen?—I have not heard that mentioned at all.

James Leadley.

13 August 1835.

3922. How much were you paid immediately after the last election, as messenger?—Five shillings a day.

3923. How much did that amount to?—To 6 *l.*

3924. And therefore you received 6 *l.* immediately after the election?—Yes.

3925. That would be as messenger?—Yes, for writing and such like.

3926. Did you receive one of the letters; will you answer that question?—I did receive a letter.

3927. Have you got it here?—No, I am sure I have not.

3928. Who has got it?—I had no thoughts of the letter.

3929. It was for something inside that you preferred it?—Yes, there was not a word else.

3930. But what?—But those.

3931. But what?—Two sovereigns.

3932. There was no letter in the inside from Mr. Lowther, or from anybody?—No.

3933. But you were satisfied?—Yes, I was satisfied before.

3934. How had you voted; a plumper, or you would have had only one?—Yes.

3935. What is your belief as to the person from whom you received two sovereigns in the letter?—I am sure I have no idea who they came from.

3936. What is your belief?—It is my belief that they came from him.

3937. From whom?—From Mr. Lowther.

3938. Do you not believe that it came because you gave a plumper for him?—I thought as you know.

3939. Have you the least doubt about it; you know electioneering very well in York?—I believe it came from there.

3940. Have you the slightest doubt?—If I believe it, that is all.

Cross-examined by Mr. Wrangham.

3941. You say you are quite satisfied with the money you received; the 6 *l.* at the election?—Yes.

3942. Had you been employed many days?—Yes, 24.

3943. You had been 24 days actually employed?—Yes.

3944. Had you received any promise from Mr. Lowther, or his committee or agents, that you should receive that 2 *l.* in addition to the 6 *l.*?—No, never.

3945. You say you were quite satisfied without receiving it?—Yes, I was indeed.

3946. Then you were rather surprised at receiving it?—It was very great pleasure, I thought.

3947. An unexpected pleasure?—Yes, I am sure it was.

3948. And I suppose if it so happened that Mr. Dundas, or any other gentleman, had chosen to put two sovereigns in a letter and send it to you, you would have been pleased?—Yes, I would not have cared who it was.

3949. Did your receipt of that, or non-receipt, make any difference in your vote at the last election?—No.

3950. We will go back to the election in 1832; you say that you set down the names of a considerable number of persons who put their votes down for Mr. Lowther?—Yes.

3951. Nothing was said about money?—I never heard of it in my life.

3952. You have told us also, that upon its being strongly reported, because I cannot believe it to be the fact, that Mr. Anderson, the agent for this petition, had isued an order offering bribes to the voters, that then some of the voters were not proof to the bribery, but left you and went to him?—Yes, this was what they said of the order from Mr. Anderson.

3953. They withdrew their name from the list of Mr. Lowther and went away, as you supposed, to Mr. Petre?—To Mr. Anderson.

3954. That was the account they gave of it?—Yes.

3955. You have been asked about Mr. Petre being in bad favour with the electors of York; do you attribute that, or is it generally attributed there, to his agent being reported to have promised sums of money to voters, those sums not being given?—There have been so few that have got it; some have not got any at all, and some got money and others none.

3956. Do you believe that such is the general opinion in York, that his bad favour with the voters is owing to his breach of promise?—Yes, I believe it is.

3957. Is it not also notorious in York the cause why Mr. Petre has not paid that?—

that?—I do not know that; they are not fond of him now, since he does not pay them.

3958. Is it not notorious in York that Mr. Petre's circumstances have become so impoverished, that to that is to be attributed his non-payment of the rest of them?—I do not suppose that they considered that.

3959. Is it not perfectly well known in York?—Yes.

3960. It is perfectly notorious in York that his affairs have become very much embarrassed?—Yes.

3961. You say, that if anything, there were more came this last time, in 1835, to set down their names than in 1832?—I think there was.

3962. Mr. Bayntun was not a candidate in 1835?—No, he was dead.

3963. He had been a candidate in 1832, and was elected?—Yes.

3964. Did not Mr. Bayntun stand on the Blue interest, as it is called, as well as Mr. Lowther?—I believe so.

3965. He was originally elected by the Blue party?—Yes, in 1832.

3966. And in 1830, too?—Yes.

3967. Would not that account for a greater number of people coming to promise Mr. Lowther in 1835 than in 1832?—I should think so; Bayntun was gone.

3968. You say those men were set down who came to put down their names as voters for Mr. Lowther, and that nothing whatever was said about money to them?—I never heard it mentioned during the whole time.

3969. Can you state to your own knowledge that it was anything more than setting down those persons who came to record their promises to Mr. Lowther?—I did not know of anything else.

3970. The payment in 1832 took place in a room in the George Inn, where the coach-office is now?—Yes.

3971. And some were paid 1 *l.*, and some 3 *l.*?—Yes.

3972. Can you take upon yourself to say that some were not paid sums between those, that is to say, 1 *l.* or 2 *l.*, or 35 *s.*?—There was no such thing.

3973. What were you there?—I was a door-keeper.

3974. Were you inside or outside?—I was inside.

3975. You cannot speak to that?—No, I am sure I cannot.

3976. Was this a room opening into the street?—Yes.

3977. The thing was done quite publicly?—Yes.

3978. And no attempt at concealment?—No.

3979. How long after the election was it that this happened?—I am sure I cannot tell.

3980. Cannot you tell us whether it was three or four months after the election?—I should think it would be more than that; but I am sure I cannot say.

3981. You never attended a meeting of the committee after the election, where a resolution was passed about the payment?—No, never.

3982. When you talk of eight or ten messengers being paid soon after the election, do you mean to say that eight or 10 men were enough to do all the business of the election?—They were all that I saw paid.

3983. Where did you see them paid?—In Spurier-gate.

3984. Whether those were the whole, or part of the whole that were paid, you do not know?—I believe those were the whole that were paid.

3985. You said that you believed those were paid then?—Those were all that I saw paid.

3986. Beyond that you have no knowledge?—No; I left them then, I never saw any more of them.

3987. There were six district rooms, were there not, in York?—I was at one; I do not know how many there were besides.

3988. Where was yours?—In Foss-gate.

3989. They were all about the town?—I dare say they were.

3990. Would they not have messengers?—There were many staying there, but what for I do not know; I had to carry papers backwards and forwards.

3991. You saw men in attendance of the working classes?—Yes.

3992. We have heard a great deal about drunkenness; do you think there was more drunkenness in this last election than in others?—I neither saw others drink, and I got none; as soon as I had done, I always went home directly.

3993. In the streets as you were going home, did you see a great quantity of drunkenness?—No, I am sure I did not.

3994. Would you say from your observation this is true, "that liquors were at the

the last election furnished at the expense of the said John Henry Lowther to his voters and supporters, to such a profuse extent, that there were then more disgraceful scenes of drunkenness in the streets of York, than had been witnessed at any previous election during 10 years last past?"—I never saw any of it.

3995. Would you say that was true or false?—I believe it is false, but I cannot say, I was never amongst them.

3996. Where do you live?—In Walm-gate.

3997. Where was it you were employed in writing?—In the George Inn.

3998. Will you tell whether you do not pass over the greater part of the city in going from the George Inn to the Walm-gate?—Yes.

3999. You would pass and repass several times in the course of the day?—Never more than once in the morning, and coming back at night.

4000. What time at night did you come?—At nine o'clock.

4001. Will you tell us whether in the evening when you came along the streets, you did see those disgraceful scenes of drunkenness?—I did see many drunk, but I do not know where they got it, or anything of that sort.

4002. I ask you whether you saw so much drunkenness as to say that there was more drunkenness at this time than at former elections?—I never saw any of it.

4003. Where were you during the hours of polling?—In Foss-gate Merchants-hall.

4004. Were you there as a cheque clerk?—No, going backwards and forwards with voters names.

4005. Did you see a great number of drunken men coming to vote there, very terribly drunk?—No, I did not.

4006. You told us that your idea was that the money had come from them, from the Lowther party; do you know anything upon the subject?—No.

4007. Does that belief arise from the circumstance that you voted for Lowther, and that you received, six months afterwards, two sovereigns?—I cannot tell any thing else, for I never saw any of them during the time.

4008. You never made any application for the two sovereigns?—No.

4009. And never expected to receive them?—No.

Re-examined by Mr. Hill.

4010. Were you in the same booth with Percival Watson, the poll-clerk?—No.

4011. What was your district called?—It was Walm-gate Ward poll-booth.

4012. Do you remember a man, James Barwick, coming up to poll?—I do not recollect him, because there were two of us.

4013. Do you remember a man coming so drunk that he could not take the bribery oath?—No.

4014. Do you remember George Lund, the skinner, coming to vote?—I did not see him.

4015. Were you there all the time?—Backwards and forwards.

4016. Where were you when you were backwards, if you call the poll-booth forwards?—I was going to the district committee to take the names of voters.

4017. Did you set down constables for Duncombe and Walker?—Yes, I set down some.

4018. How many did you set down?—I do not know, I never counted them.

4019. Can you tell whether it was 10 or 100?—Yes.

4020. How many?—Above 100 or 200 either.

4021. Did you set them down in a book?—No, on the list.

4022. What did you do with the list?—I gave it into the committee-room.

4023. What committee-room?—The George Inn.

4024. Mr. Lowther's committee-room?—Yes.

4025. How long were you employed in setting them down?—It was all done at one time.

4026. Was it a day or two days?—A day.

4027. Who paid you for that day?—It was reckoned in my other account.

4028. Reckoned in the 6*l.*?—Yes.

4029. Did you ever have anything from the Duncombe and Walker party for it?—No.

4030. You say there were 12 of you that had 6*l.*, do you know the other 11?—No; I know part of them, but they only received 4*l.*

4031. Were you the only man who had 6*l.*?—Yes.

4032. Why?—Because nobody else set down the names.

4033. Had

4033. Had you 2*l.* as the man who set down the names?—Yes, I had; they had 3*s.* 6*d.*, and I had 5*s.*

4034. What sort of men did you get down for Duncombe and Walker?—Much the same as the others.

4035. Blues?—Yes.

4036. Voters for Lowther?—Yes.

4037. When did you set them down; how long before the city election?—After they started canvassing.

4038. After who started canvassing?—After Mr. Lowther and Mr. Dundas.

4039. Then it was that you put down people as constables for Duncombe and Walker?—Yes.

4040. Did you put down anybody that came?—Yes, any one that came.

4041. Anybody that came to be a constable for Duncombe and Walker?—Anybody that would poll for Mr. Lowther.

4042. So that, when they came to be put down for Duncombe and Walker, they promised to poll for Lowther?—Yes.

4043. Did they promise plumpers, or not?—They promised plumpers.

4044. Was every man in your eye a good constable for Duncombe and Walker, if they promised a plumper for Lowther?—I do not know for that.

4045. Did you refuse anybody that would vote?—No.

4046. Whether he was old, or lame, or blind, or halt?—They would not have been of any use.

4047. But did you refuse them?—No.

4048. You never refused anybody, provided they promised to poll for Lowther?—No.

4049. When did they promise to poll a plumper?—First day.

4050. They were not only to plumper Lowther, but to plumper the first day?—That was not mentioned; I never mentioned it.

4051. How did they know it?—I do not know.

4052. Did they know it?—It seemed so.

4053. What do you mean by saying it seemed so?—They thought so.

4054. Did it come into everybody's head without their being told how; did they know that they were to vote the first day for Lowther?—It was mentioned then.

4055. At the time they were set down?—Yes.

4056. Who mentioned it?—I, for one.

4057. Who else for another?—I did not hear anybody else say so.

4058. Why did you say, "I, for one;" who else was it?—I am sure I do not know another.

4059. Who was present helping you, when you put down those names for Duncombe and Walker?—Neighbour Farren was there.

4060. What did he say about it?—He said the same.

4061. This Mr. Farren does live opposite to Mr. George Hudson?—He did do so; his family is there, but he is from home.

4062. Did he not live there at the time of the election?—Yes.

4063. Did he not live there a considerable time before the election?—I cannot say.

4064. Did he not live there six months before the election?—Yes, more than that.

4065. Twelve months?—I think not, because the house was empty.

4066. You mean Mr. George Hudson, the treasurer?—Mr. George Hudson, out of Monk-gate; I do not know whether he was the treasurer.

4067. This Mr. Farren, what part did he play at the election, besides being present when you set down Duncombe and Walker's voters?—He set down names as well as me; when I was not present he put them down.

4068. Was he one of the freemen that was paid?—Yes.

4069. Did he get 6*l.* or 4*l.*?—£. 6.

4070. Then there were two 6*l.* out of the 12?—Yes; I do not know how many there were; from eight to ten I said.

4071. Mr. *Wrangham.*]—You said that you set down persons as constables for Duncombe and Walker?—Yes, there was something of the sort; they were to be set down.

4072. You say that they were the same people as you had been setting down for Mr. Lowther?—Yes.

 4073. Do

James Leadley.

13 August 1835.

4073. Do you mean that a great proportion of them were those whom you set down for Mr. Lowther?—Yes.

4074. All?—I will not say for all.

4075. Were not by far the greatest proportion of them?—Yes.

4076. Then they had already promised to vote for him?—Yes.

4077. How came you to say that it was a promise to Lowther that was the condition of their being set down?—To give him a plumper, you know.

4078. Did you exact a promise from every one of them as he came to put his name down; how did you put them down when they came in?—I told them they should be put down for Duncombe and Walker, if they plumped Mr. Lowther, I said.

4079. You say, that the halt, the lame and the blind would not have been of much use as constables; did they come to apply?—There were a few that were that way; I hardly saw any that way.

4080. Mr. Lowther and Mr. Duncombe are of the same party, are they not?—Yes.

4081. So that the supporters of Mr. Lowther in York, if they vote for the riding, are the supporters of Mr. Duncombe in the riding?—Yes.

4082. You saw this list in the committee-room of the George; do you happen to know that any of the members of Mr. Lowther's committee were members of Mr. Duncombe's also?—I do not know; I believe they were.

4083. Do you know that Mr. Graham, Mr. Lowther's agent, was a member of Mr. Duncombe's committee?—I do not know that he was.

4084. But, however, you took down a list of persons as constables, and such like, for Duncombe and Walker?—Yes.

4085. And you understood that they were to plump for Lowther?—Yes.

4086. *Committee.*]—You were not a member of Duncombe's committee?—No.

4087. You state that you received a letter since the last election, containing no writing but two sovereigns?—Yes.

4088. Were those two sovereigns glued; how were they fastened?—I cannot tell how they were fastened; I did not take any notice how they were fastened.

4089. Did you know anything of the hand-writing by which that letter was addressed?—No.

4090. By whom was it delivered to you?—The postman delivered mine.

4091. Do you know whether he delivered any other letters of the same kind at the same time?—No; I did not see him deliver any but one to my son, which I took.

4092. Is your son a voter?—Yes.

4093. And he voted for Mr. Lowther?—Yes.

4094. Did he give him a plumper?—Yes.

4095. Did you see what was inside of your son's letter?—No, I did not.

4096. Did it feel as though it contained money?—Yes, it did when I saw mine opened.

4097. Was it directed in the same hand-writing as yours?—I cannot say, for I did not take any particular notice.

4098. Did you hear any of your neighbours talk of having received letters of the same kind?—There are no freemen neighbours in my yard.

4099. Have you ever heard any freemen speak of having received letters of the same kind?—Yes, I have.

4100. Can you name any particular individual freemen who have spoken of it?—I never took any notice of it.

4101. Have you ever heard of any freemen receiving any of those letters who did not vote for Mr. Lowther?—No.

4102. Those freemen who so mentioned to you having received such letters, were they freemen who had voted for Mr. Lowther?—Yes, I believe so.

4103. About your setting down names, where were you when you were putting down names; was it in a room by yourself?—It was in a small room beside a passage.

4104. And you marked them down on a sheet of paper?—Yes.

4105. Do you recollect how many sheets of paper you used?—I am sure I do not know.

4106. Did you hear anybody say anything about those sovereign letters before you received them?—No.

4107. Did you not hear any freemen say that they wanted those letters?—

When they began to be going about before they got them, they expected it would be their turn next.

4108. Did you set down a single man who was not a voter?—Not to my knowledge.

4109. Did you make any inquiry of them?—I generally asked them if they were freemen.

4110. Did any man say that he was not?—No, I do not recollect.

4111. Have you always lived in the city of York?—Yes.

4112. As long as you recollect, a man who votes expects to get 1 *l.* for one vote, and 2 *l.* for a plumper?—I never heard it mentioned at any time.

4113. As far as you remember, the practice has been in the city of York, with respect to setting down men, that those who are set down expect to get 1 *l.* for a single vote, and 2 *l.* for a plumper?—Yes.

4114. Mr. Petre got into disfavour, because he did not pay?—Yes.

4115. Do you think that any man could get in for the city of York unless he did pay?—They could not tell until they tried him.

4116. Do you think Mr. Petre would get in again?—I think not, but I do not know.

4117. Do you believe a candidate would get in a second time, who did not pay after he had been in?—I think not, because they have been always in the habit of receiving it.

4118. You have talked of this order of Mr. Anderson that induced Mr. Lowther's voters to leave him, what was it?—That they were to go down and be set down for the election, at 5 *s.* a day.

4119. Mr. Lowther did not set any down?—Yes; but there was no promise of any money, nor anything of the sort.

4120. But there was a promise given in 1835?—No.

4121. Did they not know what they were to get when they were set down in 1835?—No.

4122. They only expected what was usual?—What was the usual thing.

4123. They got something more?—No, it was the same.

4124. Where there any 10 *l.* householders who were not freemen, set down?—Yes.

4125. Many?—Yes, a good many.

4126. Have you any neighbours in Walm-gate who are freemen as well as you?—Yes, many not in the yard; I live down a yard.

4127. When a man is set down, what does he expect for it?—Three shillings and sixpence a day.

4128. And you would not think it a very honest thing if that money was not paid?—He had nothing promised, at least when he was put down; but he engages his time.

4129. You would expect that he ought to be paid?—Yes.

4130. And you would not think it an honest thing if he was not paid?—A man would not lose his time for nothing.

4131. Why, is it not mentioned at the time what he is to receive?—It never is.

4132. Is it understood that a general payment will be made to him?—Yes, when he is messenger.

4133. Do not many receive the money who do not act as messengers?—Not at the time.

4134. Are there not two lists, one for messengers, and one for setting down?—The freemen that are messengers one list serves for; there is a list that they put them down in as messengers.

4135. All those who are put down do not act as messengers?—No.

4136. But those who are to act as messengers have "messenger" after their names?—No; they are put down in a list by themselves.

4137. There are two lists?—Yes; but that is for a few, eight or ten, or somewhere thereabouts, in number.

4138. And they get a little extra?—They get 3 *s.* 6 *d.* a day for carrying papers and such like.

4139. You said that Mr. Petre would not have a chance of getting in again if he was to go to York?—It is the opinion of many.

4140. Is it in consequence of the messengers not being paid?—It is the opinion of many.

4141. Is that in consequence of the messengers not having been paid?—They were

were put down at 5 *s.* a day, and that was for messengers; and not getting it, they lost their time for nothing.

4142. And that caused great dissatisfaction?—Yes.

4143. What do you mean by losing their time?—They attended the whole time.

4144. They are obliged to attend, are they?—Yes.

4145. Is it only messengers that were not paid by Mr. Petre?—Only messengers.

4146. He did not pay anybody that was set down?—I do not know that he did.

4147. Is that what is said?—I was not of that party.

4148. Has not that been said, that Petre did not pay any that were set down?—Yes.

4149. Have you not said that several were paid, but the majority of them were not?—I believe only a few were paid; Mr. Anderson paid them.

Veneris, 14° *die Augusti*, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *James Meek*, the younger, called in; and Examined by Mr. *Anderson*, as follows:

Mr. *James Meek.*

14 August 1835.

4150. ARE you clerk to Mr. Anderson?—I am.

4151. Did you assist Mr. Seymour in examining these poll-books?—I did.

4152. Have you since Mr. Seymour's departure from town, ticked off the remainder of that which he did not do with this poll-book?—Yes.

4153. So as to satisfy yourself that the printed book is correct with this book?—Yes.

4154. There are one or two alterations and mis-spellings?—Very trifling ones.

4155. Have you corrected those?—Yes; I made them correspond with the original poll-book.

4156. Have you ticked off from the printed poll-book the manner in which each person's name who is mentioned in this list, voted in 1835?—I have.

4157. What is the letter L?—The letter L denotes that the party against whose name it is affixed, voted a plumper for Lowther.

4158. L. D.?—It denotes that those to whom it is affixed voted for Lowther and Dundas.

[The Witness withdrew.

Mr. *Wrangham* stated that he would postpone the cross-examination of this witness.

Mr. *Walter Robert Carter*, called in; and Examined by Mr. *Anderson*, as follows:

Mr. *W. R. Carter.*

4159. WHERE do you live?—Newcastle-on-Tyne.

4160. You are a law-stationer?—Yes.

4161. Have you compared such of the poll-books as Mr. Seymour left uncompared yesterday, with this printed list?—I assisted in so doing.

4162. Who assisted you?—Mr. James Meek.

4163. Mr. *Hill.*]—At the time of the late election were you clerk to Mr. Petre?—I was.

4164. What is Mr. Petre?—A law-stationer at York.

4165. Was he in the interest of Mr. Lowther?—He voted for him.

4166. Were you engaged in the committee-room of the George Inn assisting him in copying?—Yes, occasionally.

4167. What were you copying?—I do not recollect particularly what I was copying.

4168. Was it papers relating to the election?—Yes, circulars.

4169. Had you an opportunity of seeing what persons acted as committee men?—Some of them; some few.

4170. Mr. Thomas Barstow was the chairman, was he?—I believe so.

4171. Mr. Graham

4171. Mr. Graham and Mr. Richardson were the secretaries?—I believe so.

4172. What was Mr. Henry Richardson?—An agent for Mr. Lowther.

4173. Was he active?—Yes.

4174. Mr. George Woollens, what was he?—An active committee man.

4175. Mr. Robert Carr?—I know that he was a committee man, but I do not know that he was particularly active.

4176. And Mr. John Harwood, he was a committee man, was he not?—He was.

4177. A few evenings before the poll, do you recollect seeing Mr. James Richardson standing up by the table in the private room?—I do.

4178. What is this private room?—I believe it was the secretary's room.

4179. Did it adjoin the committee-room?—It was next to it.

4180. Were other members of the committee present at the time?—Yes.

4181. Do you recollect particularly?—I cannot speak positively to any in particular that were there.

4182. What did he say to them?—Mr. James Richardson said, "Gentlemen, you must make it generally known that we have, as it were, the whole county at our disposal, for every man who comes up and votes a plumper for Mr. Lowther on the first day's polling, will be put down as a body-guardsman for Duncombe and Walker;" that was all.

4183. Do you remember persons coming to set down?—I do not.

4184. You were not engaged in that room?—No; I was not in that above three times altogether.

4185. From your connexion with the election, can you tell the Committee whether or not there was a general expectation abroad, that voters would receive reward for voting for Mr. Lowther?—Decidedly so.

4186. Did you ever hear Mr. Richardson say anything in furtherance of such an opinion, which was likely to create such an impression on the minds of the people?—All that I heard Mr. James Richardson say was this, he said so perhaps to two persons. I do not speak positively, but all that he said was, that if they voted for Mr. Lowther, they would not regret it.

4187. Who were those two persons?—I cannot remember who they were.

4188. Were they voters?—Yes.

4189. Freemen or 10 *l.* householders?—I cannot tell, I am sure.

4190. Did you lodge with Mr. William Wait?—Yes.

4191. Do you know how he voted in 1830?—In 1830, as near as I can recollect,——

4192. Mr. *Wrangham.*]—Did you see him vote?—I did not.

4193. Mr. *Hill.*]—Do you know it from himself?—As near as I can recollect, he told me he voted for Bayntun and Petre.

4194. And in 1832 also?—Yes, I think so.

4195. Do you know how he voted in 1835?—He plumped Lowther.

4196. Did Wait receive a 2 *l.* letter?—He did.

4197. How do you know it?—Because he told me so.

4198. Do you know whether or not he was canvassed to hold up his hand for Duncombe and Walker?—He said he was.

4199. Did he say how much he had got for it?

Mr. *Wrangham* objected to the declaration of a voter being given in evidence, as the circumstance of being canvassed was an innocent act which the voter might himself prove.

Mr. *Hill* submitted that the evidence was admissible.

The *Chairman* stated that he conceived the question was a proper question.

4200. Mr. *Hill.*]—Did he say how much he had got for it?—Five shillings.

4201. Do you know from him or from any other source, whether or not he voted a plumper the first day for Lowther?—I do not; but I think he voted the first day, but I am not positive.

4202. Do you know from the observations you were able to make during this election, what influence this general expectation of paying, and the promises of employment at Duncombe and Walker's election, had upon Lowther's election?—I am fully convinced from my own observation, that the promises of employment and the expectation of the payment of money, was the sole reason why Mr. Lowther was returned for the late election at York.

4203. Now take that poll-book in your hand, and say whether Wait voted the first day or not?—[*The poll-book was handed to the Witness.*]—He did; this is marked

Mr. *W. R. Carter.*

14 August 1835.

marked as being the first day's poll, and upon seeing that poll-book, I recollect he told me that he voted in coming from his work to his breakfast, at or about eight o'clock in the morning; and upon looking at the poll-book, I find he is the fourth man who polled in his district.

4204. Was it in coming from his breakfast?—It was either in coming or returning, I cannot be positive of that.

4205. You have stated your general impression, that the expectations and promises held out of remuneration, gained Mr. Lowther's election; can you speak of your own knowledge as to its effects upon any particular voters?—I know one person in particular, who has always supported the Whig and Radical parties, and who at the late election in 1835 voted a plumper for Mr. Lowther.

4206. What is his name?—Robert Brownridge.

4207. Do you know whether he had a letter?—I do not.

4208. Have you had any conversation with him?—Yes; I spoke to him about the election, both previously to his voting, and the day afterwards.

4209. Did he give you any reason for his change?—The words that he made use of to me were, that he had plumped for Mr. Lowther, for certain reasons.

4210. From what took place, what did you understand those reasons to be; what was the impression upon your mind?—Either from the desire of getting the money that Mr. Lowther was expected to pay, or else from the influence of some person who had dealt at his shop; one of the two, but I cannot say which; perhaps both.

4211. Do you know any other person?—I do not recollect any one in particular.

4212. Mr. Lyons?—I had a conversation with the elder Lyons, in the shop of Mr. Henry Hollins, the barber, who is a voter, and he at the time was speaking very strongly in favour of the Whigs and Radicals, and he was a member of Mr. Barkley's committee; and I believe it was on the first day's poll he went and plumped Mr. Lowther; and I have heard from Mr. Barkley and other parties——

4213. I do not want that?—That is all I know about it, except from common report.

4214. What is the common report?—That he said to Mr. Barkley, on leaving the polling booth, "I have done the job."

4215. What is the Christian name of that gentleman?—I do not know.

4216. Where did he live?—He lived at the Minster-gates.

4217. It is the elder man?—Yes.

4218. Is the younger man his son?—Yes, and he lives there too.

4219. After the election, did you dine at Mr. Lowther's district committee-meetings?—Yes.

4220. Did the conversation turn upon the election?—Yes, it did.

4221. Was anything said in the committee as to who had polled the greatest number of good and unbiassed votes?—Yes, it was generally acknowledged by all parties present that Mr. Barkley had polled the greatest number of best votes.

4222. Of unbiassed votes?—Unbiassed votes; best and unbiassed, consequently best.

4223. Were you an inhabitant of York at the time of Mr. Lowther's visit, in 1832?—I was.

4224. Was he popular or unpopular?—Extremely unpopular, both in 1830 and 1832.

4225. Do you suppose that he was a candidate in 1830, when you say he was unpopular?—Yes.

4226. Was he a candidate?—It strikes me that he was; but I cannot exactly recollect.

4227. But you are sure about 1832, are you?—Quite positive.

4228. Do you remember a payment in the early part of 1833?—Yes.

4229. Had that anything to do with making Mr. Lowther a little more popular with the constituency of York?—No doubt that is the first great reason; there is no question about it.

4230. You remember the payment in 1833, do you?—Quite well.

4231. Do you know Mr. Francis Short?—I do, very well.

4232. Clerk to Mr. Graham?—Yes.

4233. Have you ever seen him write?—Frequently.

4234. And seen his writing?—Yes, many times.

4235. How long have you known his hand-writing?—For these last seven years.

4236. Do you consider yourself as intimately acquainted with it?—Quite so.

4237. Take

Mr. W. R. Carte

14 August 1835

4237. Take that into your hand; whose hand-writing do you believe that to be?—[*The letter which was formerly produced and shown to Mr. Seymour.*]—I have not the least hesitation in saying it is Mr. Francis Short's.

Cross-examined by Mr. Wrangham.

4238. So you were employed as a writer at the election?—Yes.

4239. In what room did you sit?—I was in the back-room; I was in the general committee-room, and I was in the secretary's private room.

4240. Were you employed writing there?—Yes.

4241. For how long?—For two or three hours perhaps.

4242. Two or three hours at a time?—Yes.

4243. More than once?—Yes, more than once; I was there the whole of Sunday afternoon.

4244. Were you employed there in writing at the time you heard this conversation of Mr. Richardson's?—(*No answer.*)

4245. Was that on the Sunday afternoon?—No.

4246. When was that conversation then?—I am not quite clear as to whether it was the evening before, on the evening but one before the first day's poll.

4247. Do you remember what day the first day's poll was?—I think it was on the Monday, but I cannot pretend to say.

4248. You say that you think it was the evening but one before that?—Either the evening before, or the evening but one before.

4249. If it was the evening before it would be on Sunday?—Yes; then it was not the evening before.

4250. Then it would be the evening but one before?—Yes.

4251. Do you know that the first day's poll was Tuesday?—I said I was not certain.

4252. If Tuesday was the first day's poll, would it not be on the Sunday evening?—No.

4253. Sunday evening is not the evening but one before the Tuesday?—I do not pretend to say what day the poll was, or what day I heard Mr. Richardson say so, but it was an evening or two before the first day's poll.

4254. You have pretended to say?—I did not speak particularly; I did not mention any night.

4255. Who was present in the room when this conversation took place?—I do not recollect any person particularly; but there were from four to half-a-dozen gentlemen present, who had been active in the whole election on Mr. Lowther's committee; but as I was engaged at the table writing, I cannot pretend to say who they were.

4256. Cannot you mention any one name of any gentleman that heard this, as well as yourself?—Not one.

4257. Are you ready to swear?—I will swear it if necessary.

4258. You mean to say that, and would swear it?—Yes, I mean to declare it.

4259. You recollect what was said, but you do not recollect the audience that heard it?—I do not recollect any particular person, except Mr. Richardson and myself, who were in the room.

4260. What o'clock was it?—It was in the evening; I do not recollect the clock.

4261. About what o'clock?—I do not know.

4262. Was it light or dark?—It was dark, and candles were lighted.

4263. Cannot you tell us whether it was seven o'clock or ten?—No, I cannot say whether it was seven or ten.

4264. Can you say whether it was six or twelve?—It was near six or seven; it was after six, and before twelve.

4265. You cannot say nearer than that; not within six hours?—Yes, I can within six hours; but not to an hour or so.

4266. Tell us within an hour?—It might be between seven and eight.

4267. You cannot speak with greater accuracy to the time?—No, I cannot.

4268. Were you at that time employed in writing?—Yes.

4269. What were you writing?—I think at the time I was writing circulars.

4270. Was there nobody under whose direction you were writing?—Mr. James Richardson gave me what to write.

4271. After ransacking your memory, cannot you tell us out of six persons the name

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name of any one?—No; because I was sitting at the table with my head down; I could not tell who was there.

4272. This conversation made a great impression upon your mind?—Yes, it is very likely to do so.

4273. Is it not likely that you should know who was present?—No, because I might have heard Mr. Richardson speak without looking up.

4274. You have said that four or five persons were in the room, and you must, therefore, have looked up?—No, it does not follow; I did not.

4275. How do you know that they were in the room?—Because they were walking about me in the room.

4276. Do you mean to tell us that you conceived that there were a number of persons in the room, but that you cannot speak to any one individual, and you give us the reason, that you never looked up?—Yes.

4277. You never raised your eyes from the table?—During the time that this conversation was going on, I do not think I did, but I shall not say that I did not look up during the evening, but at that time I did not.

4278. Were you employed in noting down this conversation in your memory, so that you could not tell who was there?—Yes.

4279. Were you noting it in your memory?—It struck me at the time as being an entirely new species of bribery, and therefore I took so much notice of it.

4280. Were you noting it down in your memory?—Yes, I was.

4281. In whose employment have you been since the election?—I was in the employment of Mr. Anderson for about three months.

4282. This gentleman sitting here?—Yes.

4283. You say that you have heard Mr. Richardson say to two persons that if they voted for Mr. Lowther they should not regret it?—Yes.

4284. Who was it said that?—Mr. James Richardson.

4285. Cannot you tell who those persons were?—No, I cannot indeed; perhaps I did not know them, if I noticed them at the time.

4286. Did you know them or not?—I cannot say that I recollect.

4287. You do not know whether you knew them then?—No.

4288. And yet you take upon yourself to say that they were voters?—I took it for granted, as Mr. Richardson said they should vote for Mr. Lowther, that they were voters.

4289. That is your only reason?—It is.

4290. You say Mr. Wait voted for Bayntun and Petre in 1830 and in 1832?—I do not speak positively.

4291. Do you know anything about it?—All I said was, that I thought he voted for Bayntun and Petre in 1830.

4292. Which way did he vote in 1832?—He voted for Bayntun and Petre in 1832; I do not pretend to recollect so far back as 1830.

4293. But in 1832 you are certain that he voted for Bayntun and Petre?—As far as I can recollect, he did.

4294. Were either Mr. Bayntun or Mr. Petre candidates in 1835?—Neither of them.

4295. Might not that be one reason for his voting for another person then?—No, I think not; I do not remember his saying anything about that.

4296. But now that the fact is brought to your recollection, might not that be one of his reasons?—It might be, but I cannot say that it is so.

4297. Mr. Bayntun had himself come in on the Blue interest?—He came with a Blue flag originally.

4298. Do not you know that he came upon the Blue interest?—No; I was young then, and did not understand the difference, but I knew at the time that he was supported by the gentlemen that afterwards supported Mr. Lowther.

4299. You know that Mr. Lowther came in on the Blue interest?—Yes.

4300. Then you can have no doubt that Mr. Bayntun came in on the Blue interest?—I suppose he did.

4301. Have you any doubt about it?—None at all.

4302. And so Mr. Bayntun being no longer a candidate or Mr. Petre, Wait voted for Mr. Lowther in 1835?—He did; but I do not know that that was the reason, it might be, but I do not know that it was.

4303. You say that Mr. Brownridge told you that he voted for Lowther for certain reasons?—Yes.

4304. Do you know Brownridge very well?—Quite well; I am quite intimate with him.

4305. You have no doubt about his name?—No.

4306. You are quite sure it is not Brownbridge?—I have always written it Brownridge.

4307. How do you spell it?—Brownridge.

4308. From your intimacy with him, you can take upon yourself to say that his name is not Brownbridge?—I might be mistaken, but that is how I have called him.

4309. Could you mistake the name of your intimate friend?—Yes, in a single letter I might mistake the name.

4310. He told you that he voted for Lowther for certain reasons?—Yes.

4311. And you take upon yourself to interpret the word "certain," to mean intimidation or bribery?—Yes.

4312. Those are uncertain reasons?—My opinion is that they are certain reasons.

4313. Does your mind conceive no other interpretation of the word "certain," than something corrupt or violent?—No, I do not say so.

4314. All that Mr. Brownridge said was, that he voted for Mr. Lowther for certain reasons?—Yes.

4315. You have told us that Mr. Wait told you that he voted on the first day at eight o'clock in the morning; are you quite sure that he did not go later than eight?—If I said so in the first instance I qualified it, by saying that he voted in coming from his breakfast, or in returning.

4316. Do you recollect at what hour the poll began?—No, I do not indeed; I was not engaged in the poll the first day; I do not recollect.

4317. Do you mean to say, that in working in the committee-room and employed by the party, you did not know that?—I was not engaged at the time the poll commenced.

4318. When?—I was not for either party.

4319. What had become of you?—I was at Mr. Petre's office.

4320. Had your services been dispensed with?—Yes, I was not employed in the election; in this last time I was not, and I was not above three times in the committee-room.

4321. What do you call the committee-room?—At the George Inn.

4322. Which of them; you have spoken of two or three rooms?—I have spoken of two.

4323. Which?—I cannot identify them by any particular number or name, and I do not recollect.

4324. What do you call the committee-room?—I call the committee-room a general committee-room.

4325. Is that the room where you heard this conversation?—No, in a private room on the right-hand side as you go in.

4326. Was your business to write in the large or small room?—In both.

4327. Which were you most in?—In the general committee-room.

4328. How often were you in the other?—I think I was in twice.

4329. For how long each time?—Perhaps three or four hours; I cannot speak exactly.

4330. How often were you in the great committee-room?—I have told you that I was there the whole of one Sunday afternoon.

4331. You said in the little room?—No, I told you that in that afternoon Mr. James Richardson was not there; I was there with a young man of the name of Bramley.

4332. That is not the secretary's room?—No.

4333. If you have told me that you were three or four hours on the Sunday afternoon in the little room, you have told what is not true?—Yes, but I have not told you so.

4334. How long did you remain in the great committee-room, on each occasion that you were there?—I cannot say on each occasion; I have mentioned one particularly.

4335. You were there three times?—I should say that I do not recollect.

4336. You remember one time, can you not remember another?—No, because Sunday is a day we do not work; and another reason why I recollect is, that Mr. Short, Mr. Routledge, Mr. Bell who is summoned upon this inquiry, myself and

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and this young man, named Bramley, all took tea together after we had left our work; that is one great reason why I recollect; and the other is, because it was Sunday afternoon.

4337. This was in the great committee-room?—Yes.

4338. Did you not look into the small room that day?—No.

4339. So four clerks sat in the large room?—This young Bramley and I were there the whole of the afternoon, and Short and Routledge came in at the time.

4340. Why did you sit in the great committee-room when the other was empty?—Short came and gave us what we had to do, and left us.

4341. Was Bramley a law-stationer's clerk?—Yes.

4342. Did you and he work together?—Yes.

4343. Was he present when you heard this conversation of Mr. Richardson's?—He was not there.

4344. He did not happen to be there?—He was not there.

4345. Were you employed the whole day in the great committee-room?—Not in this last election.

4346. Part of the day?—Yes.

4347. And you were there three times?—About three times.

4348. Above two times?—It might possibly happen that I might be there four.

4349. Might it not happen that you were there half-a-dozen times?—No, it might not, because I was not.

4350. You are sure of that?—Yes.

4351. You dined with one of the committees?—Yes.

4352. That was after the election was over?—Yes; I think it was after the second day's poll, or after the chairing, one of the two.

4353. You were all very good company at the dinner?—Quite so.

4354. A little wine was drunk?—Yes.

4355. And the conversation would go on in a very light and easy strain?—The conversation, as it generally does on such occasions, turned upon the contest.

4356. There was no reserve; everybody was supposed to be a person that could keep a secret; if secrets were mentioned, everybody would trust to the other, that what was mentioned over the wine would not be spread abroad?—The conversation was so general that it might be very easily spread abroad; there was no reserve.

4357. There is never any feeling that a conversation that passes over a bottle of wine is a thing that people do not measure very accurately?—Not upon such a subject as that.

4358. You think it a very creditable thing to repeat all the words that passed?—I have not repeated all.

4359. There is no doubt that you were admitted with the belief you were not to disclose it?—That is another question; I do not suppose that I should have been ——

4360. You say that it was generally admitted that Mr. Barkley had polled the greatest number of best and unbiassed votes?—Yes.

4361. Are you aware that he did not poll a single vote that did not poll for Mr. Dundas?—He did not.

4362. Then every vote that polled for Mr. Barkley polled for Mr. Dundas also?—Of course.

4363. Where was the dinner?—It was in the little room, the first room on the right-hand side, as soon as you get into the porch of the George Inn.

4364. How many persons might happen to be there?—Perhaps 12 or 14 at dinner; Mr. Short was in the chair, and I was on his left hand.

4365. You were in the post of honour?—Yes.

4366. Did Mr. Short say anything?—Mr. Short retired very soon; as soon as dinner was over, Mr. Short and Mr. Routledge went away; the conversation did not take place, as you have said, till the wine came on the table.

4367. There was no wine at dinner?—Yes.

4368. There would be about a dozen people left when those two went away?—Yes.

4369. Can you mention the name of any one person present at that table who said that the greatest number of unbiassed votes was given to Mr. Barkley?—I said so; and my answer to your question was, that it was generally acknowledged.

4370. You say that at this meeting it was generally admitted that Mr. Barkley had

had the greatest number of unbiassed votes; who were the parties that then acknowledged it?—They all acknowledged it at once. Mr. *W. R. Carter.*

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4371. Give us the names.—There was Mr. Bierpark, Mr. Henry Hollins, Minster-gates, Mr. Worfolk, coal-dealer.

4372. Does he live in Dame-street?—I do not know where he lives; I never met him before that night.

4373. Is he a voter at all?—Yes; but I did not know him before that night; I know Bierpark very well.

4374. Did Worfolk happen to mention that he had voted for Dundas and Barkley, and not for Mr. Lowther at all?—No.

4375. That was rather curious, was it not, that he should not mention that; do you mean to say that you are telling us the truth when you tell us that Mr. Worfolk was there attending a meeting to celebrate Mr. Lowther's election, when he polled for the other two candidates?—I tell you that I never met him before that night, and if I have mistaken his name, I know the man by sight very well.

4376. You have told us that he is a coal-dealer?—Yes; but I did not recollect so positively to him as I did to Bierpark and Hollins.

4377. You had no doubt of it till I reminded you of a fact which had escaped your recollection; do you mean to say that all you have been telling us is as accurately true as the fact that Mr. Worfolk was there?—All that I have spoken is as accurate as I recollect it; if I have made a mistake, I wish to correct it. I know that this night this gentleman was introduced to me, and we sat together; I may make a mistake in his name.

4378. How do you know that he was a coal-dealer?—I was told so at the time.

4379. Was he introduced as Mr. coal-dealer or Mr. Worfolk?—I cannot say.

4380. How do you account for this, that you should be perfectly well acquainted with his trade, and yet have a doubt about his name?—Because I was told when such a person's name was mentioned, that he was a coal-dealer.

4381. Was he treated, and addressed and spoken to as Worfolk?—I cannot say.

4382. Who told you that it was Worfolk?—Hollins told me, and I may have made a mistake from not knowing the person so well.

4383. How many coal-dealers do you conceive there are in York; would you from hearing that a man was a coal-dealer suppose his name was Worfolk?—No.

4384. How was it that you took him to be Worfolk?—From knowing that there was a coal-dealer of the name of Worfolk, I supposed that he was.

4385. Do you mean to say that knowing that there was a Worfolk a coal-dealer, and hearing that this man was a coal-dealer, you thought he was Worfolk?—I have mistaken him.

4386. But you said you had never seen him before?—I had not, and if I had the man before me now, I should know him immediately.

4387. How did it happen that a person whom you had never seen before, and of whom you were told that he was a coal-dealer, therefore you chose to suppose that his name was Worfolk?—I have explained it once.

4388. You have said that you were told that he was a coal-dealer; had you any other explanation?—No; I am mistaken in supposing it was Worfolk.

4389. You cannot have done it from mistake of the face of the person; have you any other explanation than that to give; have you given all the explanation that you have in your power?—Yes; if I have made a mistake, I beg pardon.

4390. Give the names of the others.—I cannot speak to any particularly; I will tell you of Mr. Williams, a painter, whom I can speak positively to.

4391. Let us have another?—I do not recollect any one else.

4392. There were 12?—I have told you that I cannot say, I do not recollect any one else.

4393. Try to refresh your memory; there were 12 people dining round the same table, and you have given the names of four, one of whom you have some doubts about, who sat at the bottom of the table; you were at the top?—I was at the side after the dinner was removed.

4394. Who was the vice-president?—Mr. Williams.

4395. You do not remember who sat next to him?—No, I do not.

4396. Where did this Mr. Worfolk sit?—I told you that he sat next to me, this coal-dealer, but I have mistaken his name.

4397. Which side did he sit?—On my left.

4398. And

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4398. And you continued sitting in that position relatively during the evening?—I do not recollect.

4399. Were you so seated at dinner?—No, it was afterwards.

4400. Was he not at dinner?—Yes; but he was down at the other end of the table.

4401. He came to sit near you?—No, I went to sit next him.

4402. You sat at the bottom of the table?—Yes, towards the other end.

4403. Do you recollect who was your left-hand neighbour when you sat at the top of the table?—Hollins; he asked me to come and sit beside him when I came into the room. I was intimate with him.

4404. What did you say when you told them your impression?—I said that Mr. Barkley had during the late election polled the greatest number of unbiassed votes.

4405. How did it begin?—There was a general conversation about the election, and that came out amongst other remarks.

4406. What was the conversation?—About all the candidates in the late election and those who had represented York previously; there was general conversation.

4407. They talked about the unpopularity of Mr. Lowther in 1830?—I believe I mentioned it; I do not know that any one else did.

4408. Do not you know that Mr. Lowther was not a candidate till 1832?—I know that he was in 1832.

4409. In 1830, you said?—I did not speak positively; what made me say so, is because I know that he has been in York three times.

4410. As a candidate?—Yes.

4411. Was he there in 1833?—He was there in 1832 and 1835; but I do not know when the other was

4412. In 1833 was he there?—Yes.

4413. Was he popular?—No.

4414. Was he not put up by two freemen?—Yes; two of the biggest scoundrels you can find in the city of York.

4415. What party are you?—I do not belong to any party yet.

4416. Who were the two gentlemen that put him up?—I do not recollect; I do not know them personally.

4417. You do not recollect who they were?—No.

4418. And yet you say that they were the greatest scoundrels in the city of York?—Yes, I know from their general character.

4419. What are their names?—I do not know.

4420. And you take upon yourself to call them the biggest scoundrels, without knowing their names or their persons?— Yes, that is their general character.

4421. You are not a Blue yourself?—No, I do not belong to either party.

4422. An independent man?—Yes, quite so.

4423. Do you mean to say that you are not disposed in favour of the Orange party in York?—I do not reside in York.

4424. You may have a disposition one way or the other at Newcastle?—Yes.

4425. Answer the question?—I certainly have a decided disposition to favour the Orange.

4426. Did you tell Mr. Lowther's committee so when they employed you?—I did not of course; I went to obey the orders of my master.

4427. This declaration of yours about Mr. Barkley's votes was extremely well received by the party?—I said they assented to it.

4428. Was it well received?—They assented to it; they said yes, as they would assent to anything unpleasant among them.

4429. There was no indignation exhibited at one of the party praising Mr. Barkley's party?—None at all.

4430. You told them that you were friendly to the Orange?—Yes, I proposed the health of Mr. Barkley, and it was drunk.

4431. They all drank it?—Yes.

4432. What do you infer from that?—I make no inference.

4433. I ask you whether it was well received, this declaration of yours?—I told you that they barely assented to it, they were not glad to hear it.

4434. It was an unpalatable truth?—Yes, of course.

4435. Do you recollect who was in the chair?—I told you Mr. Williams was.

4436. You

4436. You said he was vice-president?—That was during the dinner; Mr. Short was in the chair, and when he withdrew, Mr. Williams took the chair.

4437. Did he say yes?—Yes; and all said yes; they all assented to it; I do not say that they all said yes.

4438. How did they assent to it?—I cannot say.

4439. What did they do?—Some said yes, and some said there is no doubt of it.

4440. Nobody said no?—No, not a single person.

4441. You counted the 12?—I did not say that there were 12, but 10 or 12.

4442. Do you mean to say that every one present at that party assented by gesture or by word, some saying yes, and some, there is not a doubt of it, to this unpalatable truth of yours?—Yes.

4443. Every one?—Every one.

4444. Nobody found any fault with your declaration of being an Orange?—Not one.

4445. That was quite palatable?—Yes, all the toasts they proposed I drank out of courtesy, and they drank mine.

4446. And success to Mr. Lowther?—Yes, I made that remark to the persons present, that I did it out of courtesy.

4447. You protested that you drank it out of courtesy?—Yes.

4448. And you mean to tell us that you professed yourself an Orangeman and a friend of Mr. Barkley's cause, at least of his principles; did you say so?—I said that I was favourable to the Orange party; I did not say that I was particularly favourable to Mr. Barkley.

4449. Did not you say that you were favourable to Mr. Barkley when you announced this majority of unbiassed votes?—I did not.

4450. You said nothing in praise of Mr. Barkley?—No, nothing in praise of him individually.

4451. Of their principles?—Yes, of their principles, I did.

4452. What did you say?—What I have told you.

4453. Was your speech confined to that, "I am an Orange?"—No, I joined in the conversation during the evening; but I do not remember any particular conversation, but that I proposed his health, and it was drunk.

4454. Did you say, "I propose Mr. Barkley, as the person who had the greatest number of unbiassed votes?"—No, it was was not then.

4455. Was it before or after?—It was previously that I made the remark that Mr. Barkley had the greatest number of unbiassed votes, previously to drinking his health.

4456. Did you say nothing when you proposed his health?—Of course I did say something.

4457. What did you say?—I do not recollect what I said.

4458. Mr. *Hill.*]—Was a short-hand writer present?—No.

4459. Mr. *Wrangham.*]—What did you say about his praise?—That it was becoming an Englishman to hold out the hand of friendship to the prostrate foe, and therefore I proposed the health of Mr. Barkley.

4460. That was the sentiment?—Yes; I do not recollect the exact words in which it was couched, but that was the meaning of it.

4461. That might have been the very expression?—I do not say it was.

4462. It might have been the very words; are you sure you spoke of him in these words?—I am quite sure of those two words "prostrate foe."

4463. That was part of a speech?—Yes.

4464. Did you state that you were his friend?—I mentioned that I did not name him, or any party in particular; I said that I was friendly to the Orange party.

4465. Did you treat him as a prostrate foe of the party generally?—Yes; as it was the case.

4466. Of all the party?—Yes.

4467. Including the speaker himself?—Have not I said that I made an exception as to myself.

4468. Did you say it at the time when you were making this speech about yourself being excepted?—No; when I made the remark as to his having polled the greatest number of votes, it would be well understood by my making the remark.

4469. Even if it was true that he had polled the greatest number of unbiassed

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votes, you think nobody would have stated it but one of his party?—I should think so, as it was an unpalatable truth, as you say.

4470. But they assented to it, and drank his health?—Yes.

4471. How long have you been in town?—I came last Monday week.

4472. How have you employed you time?—I have been in attendance every day upon the Committee, expecting to be called.

4473. Doing nothing else?—Yes; I have proved the examination of these poll-books.

4474. Anything else?—Yes; I have gone errands for Mr. Anderson.

4475. Acting in his employment?—I assisted him in the shape of messenger, from knowing him when he was at York, as I would have done the other party if they had summoned me.

4476. You have been acting under Mr Anderson's directions?—Yes.

4477. Is that since he came to town?—Yes.

4478. Ever since this case has been before the Committee?—Yes; I came here on Monday, when the Committee were to sit the first day.

4479. Ever since that you have been acting under Mr. Freeman, in the first instance, and then Mr. Anderson?—Yes, as I have told you.

4480. When did you first mention this conversation of Mr. Richardson's?—I do not recollect when I first mentioned it; last January; I can speak to the month, but not to the day.

4481. To whom?—To Mr. Anderson.

4482. When did you go into Mr. Anderson's employment?—Last January.

4483. Which of the two things happened first?—My going into his employment.

4484. And you then told him this story about Mr. Richardson?—Yes.

4485. You are quite sure it was in January?—Yes.

4486. What makes you positive?—I recollect that the county election was just after the city election; for they were both in January. I was engaged to go to Mr. Anderson, and to take the poll at the county election; and I went on the Sunday morning to ask Mr. Anderson to give me leave to go to take the poll at the county election, because I was to come to him on Monday.

4487. Does that help you as to the time when you communicated this conversation?—Yes.

4488. How long was it after you went into his service?—It was just after my going; I mentioned it to Mr. James Meek, Mr. Anderson's clerk, first.

4489. Will you tell me what time it was when the engagement was made for you to go to Mr. Anderson?—I cannot speak.

4490. You were to have gone on the Monday of the county election?—Yes.

4491. How long before had you been engaged?—Only a few days.

4492. How many days?—I should have gone the Monday after I was engaged; but Mr. Petre went and asked Mr. Anderson to allow me to remain, as he could not spare me.

4493. Was it before or after you were employed at Mr. Lowther's committee-room that you were engaged by Mr. Anderson?—It was after.

4494. You are positive of that?—Quite positive.

Re-examined by Mr. Hill.

4495. You went into Mr. Anderson's employment in January last?—Yes.

4496. How long did you continue there?—I continued there till May.

4497. What did you then do?—I went and commenced business at Newcastle.

4498. Are you engaged in business as a law-stationer on your own own account in Newcastle now?—Yes.

4499. My learned friend has asked you whether every one of Mr. Barkley's voters did not also vote for Mr. Dundas; in one of Mr. Barkley's speeches did he desire his voters to vote for Mr. Dundas?—I have heard it said so, but I did not hear the speech.

4500. Is that the general belief of the town?—It is well known all over the town.

4501. When Mr. Bayntun and Mr. Petre came in 1832, did they both come as Reformers?—Yes.

4502. And Wait in 1832 voted for two Reformers?—He did.

4503. My learned friend has asked you a great many questions about a Mr. Worfolk; did I understand that you did not know the name of the person whom you

you took to be Mr. Worfolk at the time you answered my learned friend, till that night?—No, I did not.

4504. Did you recollect whether anybody did tell you his name at all?—Yes; I recollect that he was introduced by name, and I was told during the night that he was a coal-dealer.

4505. Do you perfectly recollect what that name was?—No, I do not.

4506. You remember he was a corn-dealer, and you supposed that his name was Worfolk?—Yes.

4507. May his name have been Meek?—No; if you mention the name I shall recollect; he is a voter in the city of York. If I was allowed to look I could speak positively to his name.

4508. Might it be Walton?—He resides out of Bootham-bar.

4509. Might his name be Walton?—I do not recollect that it was Walton, it very possibly might.

4510. Mr. *Wrangham.*]—How do you know that this person lives out at Bootham-bar?—Because I was told so; I know the man's person very well, he is a tall man with large whiskers.

4511. Mr. *Hill.*]—At the same time you were told he lived out at Bootham-bar?—Yes.

4512. *Committee.*]—Who introduced this person to you?—Mr. Hollins.

4513. When Mr. Richardson made this speech about those who should vote for Lowther being employed for the county election, you say there were several persons in the room, but you do not remember who they were?—No.

4514. Is there any reason why you should remember those persons?—No; I was not there above three times.

4515. Were they coming to speak to you while you were there?—No.

4516. Was there any reason why you should remember their names?—No.

4517. Had Wait, the man who voted for Lowther, always voted for the Whig party before?—No, not always for the Whig party.

4518. Had he any particular connexion with Bayntun and Petre?—No.

4519. You say that Brownridge told you that he voted for Lowther for certain reasons?—Yes.

4520. Was there anything in his manner which led you to suppose what those reasons were?—He did not speak out in a bold manner, as he usually did; and another reason was, that he told me that he was going to split, and I knew that on all former occasions he had voted for the Red.

4521. You stated in your examination, that there was a general expectation that men who voted for Lowther would be rewarded?—There was.

4522. Can you at all state on what you ground that belief of yours?—Principally on general report; and I have heard many men say in the streets, that there was no doubt they would be paid as they had been previously.

4523. Can you recollect the name of any particular individual whom you heard say that?—No, I cannot recollect any particular person.

4524. When did you hear them say this, before the polling or afterwards?—During the time of the canvass, before the election took place.

4525. Were they people whom you knew, who said this?—I had not any intimate acquaintance with them; but I should know them either by sight or their names.

4526. What age are you?—Twenty-two.

4527. You said that you recollected perfectly well whether Mr. Lowther was popular or unpopular in 1830?—Yes.

4528. You were 18 years of age?—Yes.

4529. What situation did you fill then?—I was an apprentice to Mr. Petre; I have said that I did not speak particularly to 1830, but the first time Mr. Lowther came to York.

4530. What age is this Brownridge that you say that you spoke to with regard to his reasons for voting for Lowther?—I do not know his age, but I should think he is upwards of 50.

4531. He spoke very confidentially as to the manner of giving his vote?—He spoke of it in general conversation.

4532. In what circumstances is Mr. Brownridge?—I should think he is a man of money, but I do not know.

4533. What situation does he occupy?—He is a perfumer in Stone-street, one of the principal streets in York.

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4534. Is he a principal perfumer in York?—Yes; he is not the principal perfumer, but he has been in business for a number of years, and in the same shop; our office was immediately over the shop that he now occupies.

4535. Why did you suppose when he said he voted for certain reasons, that it was for money?—Because he said that Mr. George Hudson's lady had been to see him on the previous election, and wished him to vote for Mr. Lowther.

4536. That is the reason?—That is one reason, and I know that he is rather parsimonious, that the money would have a little influence upon him.

4537. A parsimonious man, though a rich man?—Yes; he is not a rich man; but he is a man that must have money.

4538. You say, that when you were in this committee-room, you recollect particularly the words that Mr. Richardson uttered?—I do not recollect the exact words, but as near as I can recollect, those were the words.

4539. Repeat them.—That the gentlemen present were to make it generally known, that they had, as it were, the whole county at their disposal, for every man who came up and voted a plumper for Mr. Lowther on the first day's poll, would be put down as a body-guardsman for Duncombe and Walker.

4540. And that struck you as the commencement of a new and extraordinary system of bribery?—It did.

4541. And yet you did not take any notice of the persons to whom those instructions were given?—No; I was busy writing at the table.

4542. You took great notice of the words, but not of the persons?—No.

4543. You did not hear Brownridge say, that the reason he voted for Mr. Lowther was, that he had defended the rights of the freemen?—No, I did not hear him say anything of that kind.

4544. You have stated that you know the hand-writing of Mr. Francis Short very well, and you have also stated that that letter is, in your belief, in his hand-writing?—Yes.

4545. Is it in his natural hand-writing, or does it vary in any way from his natural hand-writing?—Yes, it varies a little; it is evidently disguised.

4546. Can you point out any particular letters in that writing, which are made in a different manner from Mr. Short's ordinary hand?—No, I cannot point to any particular letter, but I know from his general character; he turns his pen up, and makes thick up-strokes.

4547. That is his usual hand?—Yes.

4548. How often may you have seen Mr. Short write?—I have seen him several times in these last seven years; I cannot say how many.

4549. Have you seen him write recently?—I do not recollect when I last saw him write; but I think I should be correct in saying, that I have seen him write within the last six months.

4550. When you were in Mr. Petre's employment, had you occasion often to see his hand-writing?—Yes.

4551. Did letters in his hand-writing come to Mr. Petre's to be copied?—No; we engrossed for Mr. Hewley Graham, whose clerk he was, and the drafts were generally in his hand-writing; at least frequently so.

4552. Are you quite sure that you knew when they were in his hand-writing and when not?—Yes, I am quite positive of that.

4553. How long were you in Mr. Petre's employment?—Upwards of seven years.

4554. And did drafts come to Mr. Petre from Mr. Graham during the whole of that time?—Yes.

4555. Did you explain why the employment of voters as body-guardsmen would place the whole county at the disposal of the committee?—No, I did not explain it.

4556. In what sense was it understood by the persons to whom it was addressed?—I do not know, I am sure.

4557. Were body-guardsmen employed at the county election by Duncombe and Walker?—I have no doubt that they were.

4558. The body-guardsmen were not county electors?—No, they were York men.

4559. Do you believe that it was an inducement for persons to vote for Mr. Lowther?—I have no doubt of it.

4560. It was held out as an advantage to them that they would be employed as body-guardsmen?—Yes.

4561. How

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4561. How should that place the county at the disposal of the gentlemen present?—I do not know.

4562. Do you recollect the election of 1832 and 1833, at York?—Yes, I do.

4563. Were you walking about during the time when the polling was going on in January last?—Yes, I lived in York at that time, and I was about at night and day as well.

4564. Did you see a great many drunken people about the streets in 1835?—Yes, I did, about the George Inn.

4565. Did you see more drunken men about on this last election than you had seen on the former election?—No, I think not.

4566. So that you were not particularly struck with any greater quantity of drunkenness in the town during this last election than there had been in former elections?—No, I was not.

4567. Do you know that hand-writing—[*Another Paper being shown to the Witness*]?—This is Mr. Short's hand-writing; that is much smaller than Mr. Short generally writes.

4568. Had you seen the paper just shown you before?—No, I had not.

[The Witness withdrew.

Mr. *Francis Short,* again called in; and Cross-examined by Mr. *Hill,* as follows:

Mr. *Francis Short.*

4569. WERE you present at the dinner of a district committee after the last election?—A district committee?

4570. An election committee of some kind or other?—No, I think I was not.

4571. Were you present at any dinner at which Mr. Carter was present?—I do not know Carter; I know a person of the name of Walter, but that is all that I know.

4572. Mr. *Wrangham.*]—The clerk of Mr. Petre?—The clerk of Mr. Petre I know by the name of Walter.

4573. Mr. *Hill.*]—Do you know that young man just entering the room?—Yes, I know him very well.

4574. Were you present at a dinner shortly after the election, at which he was present?—I was present, I think, at one dinner, and that was after the election.

4575. Was he there?—I do not know that he was; if he was, I should think he was not in my company.

4576. Do you recollect it, one way or the other?—I do not recollect his being there.

4577. Was Mr. Routledge there?—Yes, he was.

4578. Do you remember how long you and Mr. Routledge staid after dinner?—A very short time; in fact, it was reported that the chairman's house was on fire, and that was the occasion of my leaving.

4579. I am speaking of a dinner that was given at the George to the district?—I was not present at any district committee; I and Routledge dined by ourselves; perhaps this Walter might have been there; I will not say that he was not.

4580. Upon what occasion?—Upon the occasion, that having no other place, and being obliged to have our dinner, we went down-stairs and ordered some.

4581. I am speaking of after the election; you are speaking of during the election?—I am speaking of during the election, to the best of my recollection, and after the election.

4582. I am confining my attention to after the contest was over?—I do not recollect dining at all after the election was over.

4583. Not after the election?—Save at the concert-room, a general dinner, for which we all paid.

4584. Do you recollect dining with Mr. Bierpark, and Mr. Hollins, and Mr. Williams, the painter; do you know those persons?—I know two or three of those that you have named.

4585. Do you know Bierpark?—Yes.

4586. Do you know Mr. Hollins?—The hairdresser I know.

4587. Do you know Mr. Williams, the painter?—I have seen him.

4588. Did you ever dine in company with Walter Carter when those persons were present?—I do not recollect that I ever did.

4589. Say whether you did or not shortly after the contest?—No.

4590. You say decidedly not?—I say decidedly no.

4591. That you never dined with a party shortly after the contest, in which either

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either Mr. Bierpark was present, or Hollins, or Williams the painter, is that so?—Yes, it is,

4592. Do you know of any coal-dealer in York who is of your party and Lowther's party?—No, I am sure I cannot say.

4593. Are you an inhabitant of York?—Yes; I know several coal-dealers, but I do not know any of the party of Mr. Lowther.

4594. Voters of Mr. Lowther?—I cannot tell.

4595. You cannot tell whether you know them or not?—If you ask me a question as to whether I know a particular man, I will answer you.

4596. Do you know any persons who are coal-dealers, who voted for Mr. Lowther?—No, I do not.

4597. Do you know Mr. Samuel Pearson, of Mary-gate?—I know there is a Mr. Samuel Pearson of Mary-gate.

4598. Is he a coal-dealer?—Yes, and a merchant.

4599. Is he a stout tall man with whiskers?—Yes, he is.

4600. Do you know whether he is of the Blue party?—I cannot say.

4601. What is your belief about it?—I have no belief.

4602. He lives in the Bootham-ward district?—Yes, Mary-gate is in Bootham-ward district, and in the North Riding.

4603. Were you clerk to Mr. Richardson at the election?—No.

4604. Mr. Graham?—Yes.

4605. Were you employed at the setting down of any voters at the late election?—No.

4606. Do you remember voters being set down to be guardsmen or constables for Duncombe and Walker?—Not of my own knowledge.

4607. Were you engaged in the business of the election from first to last?—I was engaged in the capacity of clerk to Mr. Hewley Graham.

4608. Were you engaged from first to last during the whole of the election?—Yes.

4609. Do you not know that voters were set down for Duncombe and Walker?—I should submit to the Chairman that that is a question that ought not to be put to me, inasmuch as I am not the party likely to be charged with it; but I was acting in the capacity of agent or clerk of Mr. Hewley Graham, and in the capacity of agent, I submit that I ought not to disclose matters which came to my knowledge secretly and privately.

[The Witness was directed to withdraw.

After some discussion, Mr. *Hill* withdrew the question for the present.

Mr. *Francis Short,* again called in; and further Examined by Mr. *Hill,* as follows:

4610. Do you know a person of the name of Leadley?—Yes.

4611. Did you see him employed in setting down votes for Duncombe and Walker, or persons to act as constables for Duncombe and Walker?—I cannot say that I did.

4612. You say that you cannot say that you did see Leadley setting down persons to act as constables for Duncombe and Walker; what do you mean by saying that you cannot say that you did; do you mean you do not remember, or you are sure he did not?—I mean that I do not know what he was doing.

4613. Did you see him engaged in the business of taking names?—I saw him in a room writing.

4614. Did persons come up to him as he was writing, from time to time?—I cannot say; I passed the room the same as I might pass this door, the door being open, going into another room.

4615. You went from time to time into this room where he was writing?—No, I did not.

4616. Only once?—I did not say I went in once, I saw him writing as I passed the door.

4617. Did you see him writing from time to time?—Yes, I did.

4618. Have you any doubt what he was doing, on your own mind?

[The Witness was directed to withdraw.

Mr. *Wrangham* objected to the question, on the ground that if the Witness had any knowledge and belief upon the subject, that knowledge must have

have been acquired by him in his situation as clerk to Mr. Graham, and contended that the clerk of an attorney was bound to conceal all information which he obtained in that capacity, and quoted Philips on Evidence; and afterwards, authorities particularly referring to proceedings before Election Committees, as shewing that the agent in elections is regarded in the same light as an attorney in a court of law. 14 August 1835.

Mr. *Hill* contended that the authorities which had been quoted referred to matters communicated to an attorney or the clerk of an attorney in confidence; but that respecting matters not communicated to the attorney in confidence, evidence might be given, and that the circumstance of setting down voters for Duncombe and Walker's election, must have been a matter of notoriety, and that none of the communications with reference to it could have been confidential.

Mr. *Wrangham* was heard in reply.

The Committee-room was cleared.

After some time the Counsel and parties were called in, and informed, that the Committee had resolved that the Witness be informed that he must reply to the question, unless he declares that he has no information or belief except that which he has derived confidentially from his professional situation as clerk to Mr. Graham, the attorney and agent of Mr. Lowther, at the York election.

Lunæ, 17° *die Augusti*, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *Francis Short* was again called in, and informed that the Committee had come to the resolution that the Witness be informed that he must reply to the question, unless he declares that he has no information or belief except that which he has derived confidentially from his official situation as clerk of Mr. Graham the attorney and agent of Mr. Lowther, at the York election. Mr. *Francis Short*. 17 August 1835.

4619. Mr. *Hill.*]—Have you any doubt what Leadley was doing?—I object to answer such a question.

4620. You have heard the resolution read two or three times?—I have no belief at all upon it.

4621. Did you never learn from Leadley what he was doing in respect of setting down persons?—No.

4622. Did you never hear the persons who came up to be set down talking on the subject?—Not of my own knowledge; I have not learned from any one.

4623. That is not an answer to the question; have you ever heard the persons who went up to Leadley to be set down speak on the subject?—No; that was not my department at all.

4624. Never mind whether it was your department; but you never heard them say a word about it?—No.

4625. Had you any communication with Mr. Graham (I am not asking you what that communication was) upon the subject of the setting down by Leadley?—No.

4626. Never?—Never.

4627. Nor with Mr. Lowther?—No.

4628. Do you remember the letters, which we have called the "sovereign letters," being delivered through York?—I have heard of them.

4629. Very likely, I should think?—Yes.

4630. But when did you first hear of them?—The first that I heard of them, I think was through Mitchell; Mitchell told me, on the morning he met me in Davy-gate; no, it was afterwards when he met me. I of course should hear of the letters as soon as they were delivered.

4631. Then you heard that letters were delivered about the time that they were delivered?—Yes.

4632. Did you hear that they were delivered to Mr. Lowther's voters?—Certainly, that was the rumour.

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4633. Perhaps they were called "Lowther's letters," or "Blue letters?"—It was stated that they were Lowther's letters.

4634. Had you any conversation with Mr. Graham upon the subject of those letters?—No.

4635. None at all?—None whatever.

4636. You did not mention the subject of those letters to him, or he to you?—No, because he was from home.

4637. He was from home at that time?—He was.

4638. How long did he remain from home?—I think he was from home three or four days, then he returned, and immediately went from home again.

4639. Did you see him on his return?—Yes.

4640. How long was he at home?—He returned in the evening, and went off the next day.

4641. You saw him?—Yes.

4642. Had you no communication at all with Mr. Graham?—None.

4643. Did you inform him as to the business of the office while he had been away?—Certainly; I gave Mr. Graham the letters when he arrived, and told him what I had been transacting during his absence.

4644. But it did not occur to you to mention this curious circumstance?—I do not recollect that I did, and I believe I did not.

4645. Cannot you be sure of it?—I think I can be sure of it, that I did not.

4646. Do you feel quite sure enough to state that you did not?—Yes, I think I do feel quite sure.

4647. Then it is not necessary to ask you whether Mr. Graham said anything to you about it?—No.

4648. Are there other clerks in the office?—One.

4649. What is his name?—Hugh Drum.

4650. Had you any conversation with Hugh Drum upon the subject of those letters?—I recollect his telling me that such letters were in circulation that morning.

4651. What did you say to that?—I said, From whom have you heard that? and he said, Well, the postmen were carrying them round.

4652. Was that all that occurred?—That is all that I said.

4653. Was that all he said?—Yes; he is a young clerk that we have had in the office for a short time.

4654. Had you any conversation with anybody connected with the office, upon the subject, except this?—No.

4655. How long did Mr. Graham remain away the second time?—I think he was away two or three days.

4656. When he returned, had you no conversation with him upon this subject?—No.

4657. Have you had any conversation with him up to the present time?—No, I have not.

4658. None at all?—No.

4659. Not up to this time that you are now before the Committee?—No.

4660. Nor with Mr. Lowther?—Nor with Mr. Lowther.

4661. Have you had any conversation with Mr. Richardson upon that subject?—No.

4662. And it has never been matter of conversation in the office, with the exception of the slight conversation to which you have already spoken with Hugh Drum?—Never, in my presence.

4663. Who are Mr. Graham's bankers?—Indeed I cannot say; Mr. Graham keeps his own banking-book.

4664. How long have you been with Mr. Graham?—Ten years.

4665. Do you mean to tell the Committee that you do not know Mr. Graham's bankers?—I mean to state positively that I do not know Mr. Graham's bankers at present.

4666. At present?—Wentworth, Rickworth and Co., were his bankers.

4667. How do you know that?—Because then I had the opportunity of taking Mr. Graham's banking-book to the bankers; but since that time I have never had his banking-book in my possession.

4668. Not since 1825?—Not since Wentworth and Co. failed.

4669. Do I understand you to tell the Committee deliberately, that you do not know who have been Mr. Graham's bankers since the year 1825?—Yes, I do.

4670. Have you never heard him speak of his bankers?—No; he has told me

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at one time to go the York City and County Banking Company, and at another time to the Union Banking Company; that was when I went to get a Bank of England note changed.

4671. Whom do you believe to be his bankers?—They may one or both be his bankers; I cannot say which.

4672. You believe it to be one or other of those banks?—I should imagine that one or the other is.

4673. Have you any doubt that the York City and County Company Bank are his bankers?—I cannot speak positively.

4674. Have you any doubt of that any more than that you are sitting in that chair?—Yes, I have.

4675. And for the last 10 years, have you taken no cheque of his to the bank?—I have not.

4676. You are his confidential clerk?—I am his senior clerk.

4677. Have you never expenses to pay for Mr. Graham?—No; none, but for letters and parcels and such like.

4678. And that you pay out of the petty cash?—Yes.

Re-examined by Mr. Wrangham.

4679. Have you had anything to do with the transaction of Mr. Graham's private affairs?—No, Mr. Graham keeps it to himself

4680. Then your business is confined within the walls of the office?—Yes.

4681. Have you not been in the habit of making payments for him?—None but the postage of letters and parcels.

4682. Nothing of any amount?—No; Mr. Graham transacts that himself.

4683. Have you known that Mr. Graham is in the habit of going to the bank himself?—Whenever I want supplies of monies he always supplies me with it out of his own pocket; that is all I know about it.

4684. You told us that your business was confined to the office; does all the business transacted in your office come under your cognizance?—Yes.

4685. Has any business at any time, connected with those money-letters, come under your cognizance in the office?—No.

4686. The conversation in the office is generally upon the business transacted in it?—Yes, upon the business in the office.

4687. And this never having appeared as business in the office, you did not talk about it?—No, certainly not.

4688. You said something about having heard from Mitchell about this; is it Barnabas Mitchell?—Yes.

4689. One of the petitioners, is he not?—Yes.

4690. Do you know of his being employed at the election of 1832 by Mr. Petre?—I had nothing to do with the election in 1832.

4691. You were in York?—Yes; I saw him very active during that election.

4692. You do not know anything about his being employed to set down names for Mr. Petre?—No.

4693. You say that Mr. Graham was away at the time that you heard of these letters; how long had he been away at the time you heard of them?—He had been away perhaps two days, and might return the day after, but then he was off again.

4694. He came back in the evening?—Yes, I saw him in the evening.

4695. You reported to him the business done in the office?—Yes; I gave him his own letters, and he went up to his own room.

4696. Was he off in the morning?—Yes; he sent me a note in the morning that he had gone off.

4697. Had you seen him but a few minutes at the time when those letters were talked of?—Yes, scarcely time to speak.

4698. Wentworth and Company were his bankers before their failure; had you become acquainted with it from the circumstance of the failure?—No; it was in consequence of taking his banking-book before that failure.

4699. You were then very young?—Yes, I was.

4700. A sort of lad in the office?—Yes, I was.

4701. *Committee.*]—Have you any list of Mr. Lowther's voters in your office?—No; they were all destroyed

4702. Then did you have any list of his voters within six days of the time when those letters were delivered?—No, not within any time of the letters being

 delivered;

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delivered; we had no papers whatever; there were street-lists at the time of the election; that was all the lists that I know of.

4703. When were those lists destroyed?—Immediately after the election.

4704. And you never saw any list of voters for Mr. Lowther five or six days previous to the letters being circulated through the post-office?—No.

4705. For more than six weeks?—Not for more than six weeks.

4706. Did you state that Mr. Graham had a pass-book with Wentworth and Co. when he banked with their house?—Yes.

4707. Has he had any bank-book with any other house subsequent to their failure?—I do not know that; I have never seen any.

4708. Did you never see him draw a cheque upon any banking-house?—No; Mr. Graham attends to his own banking, and does not let us interfere with it.

4709. What you mean to say is, that you have no positive knowledge of any of the bankers whom Mr. Graham has, nor of any pass-book nor banking-book that he keeps at all?—No.

[The Witness withdrew.

Mr. *George Whitehead*, called in; and Examined by Mr. *Hill*, as follows:

Mr. *G. Whitehead.*

4710. ARE you a letter-carrier in the York Post-office?—No.

4711. Are you a clerk in the Post-office?—Yes.

4712. Do you remember a great number of money-letters being brought to your office in April last?—A great many put into the box.

4713. Were they delivered out in due course to the letter-carriers to deliver?—Yes.

4714. Were any of them brought back?—Yes.

4715. For what reason?—The parties not being at home.

4716. That being so, had you many applications at the windows for those letters?—Yes.

4717. In what way did the people inquire for them?—Some asked for them as "Mr. Lowther's letters," and some as "Blue letters."

4718. Did you see any opened?—No.

4719. Do you remember any persons applying for letters, for whom there were none?—One in particular.

4720. Who was he?—Robert Ellison was his name.

4721. You say there was none for him?—Yes.

4722. Did you inform him of that fact?—Yes.

4723. What did he say upon that?—He said he would go and see Mr. Hudson.

4724. Did he go away?—He did.

4725. Did he afterwards return?—Yes.

4726. What did he say?—He said Mr. Hudson told him that there would possibly be one for him as for any of the rest.

4727. Did you look over again for him?—I did.

4728. Was there any?—Not one.

4729. At what time was that; how long after the first delivery of those letters?—I cannot say exactly; I think it was the first day, or the second.

4730. Was there afterwards any letter for Ellison?—I believe there was.

4731. Why do you say, you believe?—There was.

4732. *Committee.*]—Was it a money-letter?—It contained coin of some description.

4733. Mr. *Hill.*]—Was there one or two letters for Ellison?—There were two.

4734. Were they both money-letters, or not?—They both contained hard coin.

4735. Did you see them opened?—I did not.

4736. How do you know they contained coin?—I had them in my hand.

4737. How long after the first delivery did they come?—I cannot say.

4738. Was it two or three days, or a week?—It is possible; I really cannot speak to the day.

4739. Did you deliver them yourself to Ellison?—No.

4740. Who did?—Robert Pearson.

4741. The date is the 4th of May in the receipt, would that be about the time?—I cannot speak to that.

4742. Do you know whether one of those letters was a hoax or not?—I suppose it was.

4743. Why do you suppose that?—Because I heard the letter-carrier say that.

4744. *Committee.*]—

4744. *Committee.*]—Did Pearson say so?—Yes.

4745. Mr. *Hill.*]—Was more than one receipt taken?—Only one, I believe.

Cross-examined by Mr. Wrangham.

4746. You say you heard that one of those turned out a hoax; have you heard of any others turning out hoaxes from your post-office?—No, I cannot say that.

4747. You told us that Robert Ellison said he would go to Mr. Hudson, and that Mr. Hudson said there would possibly be one for him as well as for any of the rest; was Ellison quite sober at that time?—He did not appear to be more in liquor than usual.

4748. He is rather in the habit of indulging?—Yes.

4749. He did not mention that Mr. Hudson had said that he would kick him out of the house?—No.

4750. But he came back with this story; he did not seem angry with Mr. Hudson?—I do not know; he did not say anything more about Mr. Hudson.

4751. You did not hear him damn his eyes for having ill-treated him?—No.

4752. You talk of letters containing coin; you cannot tell what coin they were?—No.

4753. There were two letters you sent to Robert Ellison?—Yes.

4754. Did you distinguish what kind of coin there was in them?—No.

4755. There appeared to you to be no difference?—No, it was a hard substance.

4756. *Committee.*]—Are you sure you delivered those two letters to Pearson?—I did not deliver them to him myself, I had them in my hand.

4757. Were the two letters separately inserted in the list given to Pearson?—I do not know.

4758. Who makes out that list?—I do not know whether he made it out himself or who made it out.

4759. Mr. *Hill.*]—Whose duty is it to make it out?—It is generally made out by Thomas Reynoldson.

4760. Is he a clerk in the office?—Yes.

4761. Mr. *Wrangham.*]—But you say some of those letters were returned?—Yes.

4762. How many do you think?—I cannot speak to that.

4763. About how many?—I do not know.

4764. Ten or 200?—Not so many as that.

4765. Were there so few as 10?—No, more than that.

4766. How many more?—I cannot say.

4767. Were there 10 or 50?—Perhaps there might be 20.

4768. Is that the number you would put them at?—I cannot speak to that now.

4769. You say that perhaps there might be 20; can you take upon yourself to say that there were not 40?—No; I would not say that.

4770. Would you take upon yourself to say there were not 56?—I cannot say.

4771. Cannot you form a judgment whether there were 10 or 50 returned?—I cannot speak to it at the present time.

4772. Do you think there could have been more than 50 returned?—There might have been, I cannot tell.

4773. Did you deliver any yourself at the window?—Yes, I and Whitwell.

4774. How many do you think you delivered?—Perhaps I may have delivered 10 or 15 myself.

4775. How many were delivered at the window?—I cannot speak to that; I have no idea at the present; it is so long since, that I cannot recollect.

4776. Can you take upon yourself to say that there were not 100 returned?—I should think not.

4777. You said there might be about 20; cannot you take upon yourself to say whether there might be that?—There might be about 30; I did not count them.

4778. Is it your impression that there were about 30?—Yes.

4779. That is as near the number as you can recollect?—Yes.

4780. *Committee.*]—Must you from your situation have known of all the letters that were brought back by the carrier in consequence of not finding the parties; could any letters have been brought back by the letter-carriers without your notice?—No, I should be in the office at the time.

4781. You must have known of them?—Yes.

4782. Did Pearson describe to you what was the hoax which he said was practised upon one of the letters?—I heard him speaking of it afterwards.

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4783. What did he say about it?—That one of them was a hoax, and contained two farthings or two halfpence.

4784. Did he tell you that he saw the letters opened?—He did not tell me so.

4785. Did you deliver any letters out of the window to the parties who inquired?—Yes.

4786. When you delivered those letters, did you take the receipts of parties in their own hand-writing?—Yes, such as could write.

4787. Were there many of them that could not write?—There were some that could not write.

4788. What did you do when they could not write?—I wrote it for them, and they wrote a cross.

4789. Were there any of them whose names you wrote without taking their cross or mark?—Not that I am aware of; I should not deliver any without.

4790. Were all the letters that were brought back called for by the parties to whom they were addressed?—Not all of them.

4791. Were the greater part called for?—Most part.

4792. What became of those letters which were not called for?—They would go out by the letter-carrier in the evening.

4793. Where would you send them in the evening; to the same address as they had gone to in the morning?—Yes.

4794. Did the letter-carrier, when he went out in the evening, find all the parties to whom the letters were addressed?—Perhaps not all.

4795. Do you remember whether he brought back any the second time?—I do not remember that.

4796. Were there any letters, to your recollection, which were addressed, in case of parties not being found, Mr. so and so?—I do not recollect any of the kind.

4797. Is it your belief that the whole of the letters that were so put into the post-office were delivered to the parties to whom they were addressed?—Yes.

4798. Suppose the letter-carrier should not have delivered them, but should have taken the money to his own use; have you any means of discovering that?—Yes; there would not be the hand-writing of the party.

4799. Then you think the hand-writing of the party, or his mark, should be on the list?—Yes.

4800. Did you examine the list to see whether that was the case?—No.

4801. Who did it?—They did it themselves.

4802. Is it not the special duty of any person in the post-office to examine the lists which have been delivered to the carriers of the letters, and to see that the receipts of the parties are put opposite their names?—I do not think that is done.

4803. Then the money might be taken by them and not be discovered?—Yes; it would be discovered when we put the receipts by, because the lists are then examined.

4804. Did any person for whom there was a letter, which letter had been delivered to a letter-carrier, apply for it afterwards, on the ground that he had not received it?—I do not recollect it.

4805. If there had been any question, should you not have considered the carrier liable if he had put the name down instead of the man's signing his name?—We should have looked for the money to him.

4806. How should you have rendered him liable for any fault of this kind; would he have been dismissed from the office, or have been liable to the office for the amount?—We have never had a case of this sort.

4807. Is that your hand-writing on that list—[*A list being shown to the Witness*]?—Yes, at the bottom.

4808. Then you acknowledge to have received from the postmaster the whole of the letters contained in this list?—Yes, except those that would be in another list.

4809. Does not this purport to be your acknowledgment that you have received from the postmaster in York the letters contained in this list?—I have signed it.

4810. Are there not 17 names in that column; count them down?—There are.

4811. How many of them have the receipts of the parties opposite them?—Four.

4812. What

4812. What became of the other 13?—They would be in some of the other lists.

4813. You are sure of that?—Yes.

4814. Under the column signature there are names written, and there is your own name under; is the signature there the signature of the party whose name stands in this column on the same line?—Yes.

4815. You depose to that fact?—Yes.

4816. In one case here is "R. Rigby;" did you see him write that?—No; that is not my hand-writing.

4817. Whose hand-writing is it?—I believe George Whitwell wrote it.

4818. You state that those names are included in other lists?—Yes.

4819. Can you point out in which they are?—No, I cannot.

4820. Mr. *Wrangham.*]—Do I understand you to say, that with those lists it is somebody's business to look over the signatures before they are put by?—Yes.

4821. Is it the duty of the person looking over that list of signatures, to see that they are not in the hand-writing of the party delivering them, the letter-carriers?—I do not know whether that notice is taken of them.

4822. Who looks them over?—One of the clerks.

4823. Suppose you came to a name, Robert Dixon, signed "Robert Dixon," would that pass as a sufficient voucher that the letter had been delivered?—Yes, I should consider it so.

4824. Then it would be the appearance of the name, "Robert Dixon," which would satisfy the post-office that the letter had been fairly delivered?—Yes.

4825. In going on here, here is William Fenwick, in Wellington-row, and James Billingham, in Wellington-row; in all those cases the appearance of the name would satisfy you that the letter had been delivered?—Yes.

4826. Would not that satisfaction on your own mind arise from being satisfied that the party receiving the letter had signed the receipt?—Yes.

4827. Have you any other security for the safe delivery of the letter to the party to whom it is addressed, than the signature to the receipt that is brought back and looked over before it is put by in the office?—No.

4828. So that if it should happen that the letter-carrier had put the letters into his pocket, and had made use of their contents to his own purposes, and had himself written the name of that party to whom they were addressed in the signature column, would that pass muster as a voucher for the delivery of the letter?—It is very possible it would.

4829. And of course, therefore, if the letter-carrier himself might practise that fraud upon the office, he might equally practise it by getting somebody else to sign a receipt, who was not the party to whom the letter was addressed?—It is possible.

4830. That would be as easy a mode of deceiving the office as himself signing the name?—Yes.

4831. Can you tell the hand-writing of that Robert Dixon?—No.

4832. Have you seen Robert Briggs write?—Yes.

4833. What would you say to that hand-writing, whether it is or not Briggs's—[*One of the Lists being shown to the Witness*]?—I cannot say.

4834. Have you seen him write?—Yes.

4835. Often?—No, not very often; he does not write much in the office.

4836. Have you seen writing of his there frequently?—No, we have not his writing much in our office.

4837. You cannot speak to the hand-writing of that Robert Dixon?—No.

4838. And in the same way of Billingham?—No.

4839. Do you, when you deliver letters out of the window, sign a list of the receipts?—In some cases, at the bottom.

4840. Is it that which enables you to say, that you were the party to deliver some part of the letters which appear upon that list?—Yes.

4841. And therefore, if your name does not appear at the bottom of the list, you cannot say that you had anything to do with delivering them?—No.

4842. Which is your hand-writing; can you point out any in your hand-writing?—No.

4843. Then one of the lists that is put in, as signed by you, bears none of your hand-writing?—Yes.

4844. Did you deliver any of those letters?—No; it is possible that they may have

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have given me the wrong list to sign; that I signed that one instead of the one which I ought to have signed.

4845. Then your signature appearing, or being omitted, is no guide as to whether you are the party concerned in delivering the letters?—That is so; it is an omission on my part.

4846. It is not only a sin of omission, but of commission; here is a list signed by you, in which you did not deliver one single letter?—Yes.

4847. *Committee.*]—Is your name signed to that list in your hand-writing?—Yes.

4848. Though you did not deliver a single letter contained in that?—Yes.

4849. How came you to write that name?—I think it is a mistake, that they have given me the wrong list to sign, instead of the one that I ought to have signed; the one that I ought to have signed, is that not signed?

4850. Which is the one that you ought to have signed, and the one not signed?—There is one there that has not my signature to it, that ought to have it.

4851. Mr. *Wrangham.*]—How do you satisfy yourself upon that point that it ought to have it?—There is some of my hand-writing there.

4852. Do you never write names on the list before it goes out, before you give it to the letter-carrier?—The list he prepared in the morning, and the other we took hold of at the time.

4853. Would it be the business of the clerk to prepare the lists before the letter-carrier started with them?—We all took a part in that.

4854. Then if your hand-writing appears upon the list, writing the name and address, it is quite possible that you may not have been the party delivering the letter, but that it may have been delivered to the letter-carrier?—Yes, it is possible.

4855. Then the fact of the address being written in your hand-writing, does not satisfy you that you delivered the letters?—No.

4856. Nor your signature at the bottom either, because it appears that you have signed those which you did not deliver?—No.

4857. There is a list which has not your signature; is there any of your hand-writing there?—Yes.

4858. Might you not have written this, and then the letter-carrier might have taken that for delivery?—Yes, it is possible.

4859. You cannot take upon yourself to say that that was not the fact?—No.

4860. Can you take upon yourself, from any means you have of recollection, to speak positively to having delivered to any one individual?—I cannot.

4861. *Committee.*]—Has there been any complaint to your knowledge from persons putting money-letters into the post-office, that any of those letters have not reached their destination?—I do not recollect one.

4862. Are those two columns, name and address, in your hand-writing?—Some of it; that is—[*Pointing out the same*].

4863. The name and address from James Wright, downwards, is in your hand-writing?—Yes.

4864. Is William Kisby in your hand-writing?—Yes.

4865. Do you say in propriety you ought to have signed this paper?—According to the addresses, I should.

4866. Is this the regular custom, that if you have entered the names and addresses of any parties in the list, it is your duty to sign your name at the end?—I should have done it.

4867. Those names and addresses which are not in your own hand-writing, do you know in whose hand-writing they are?—I cannot speak to it.

4868. Mr. *Hill.*]—If you make out the list which is to be delivered with the letters into the hands of the postman, is it your duty to put any signature to that list though you should deliver no one of the letters?—My hand-writing appears there, and I ought to have put my signature to it.

4869. If you were to make out a list of the name and address of the persons who have letters to be delivered to them, and if you were to give that with the letters to the postman, and he were to find everybody at home and bring back every signature quite right, would it be your duty to put your name to that paper?—I should not take any notice of that, but go by the address.

4870. Is it your duty to sign every list which you have made out yourself, before it goes to the office?—Money letters that go out in that way.

4871. Is

4871. Is it your duty, when you have made out a list of money-letters for the postman, to sign that list?—No; he signs the list which he takes out.

4872. Is not this the list that he takes out?—Yes.

4873. What does your signature mean?—The head clerk gave it me out to sign.

4874. Who is he?—Mr. Clifford.

4875. Is he in town?—No.

4876. Why does he give you this to sign?—Because I suppose he sees some of my hand-writing, not in this, but in the other list which I ought to have signed.

4877. Give me the list which you have rightly signed; you ought to sign the list, because your hand-writing is in this copy of names?—I ought to do it.

4878. Then you do not know who have signed it?—No.

4879. You signed the other list because Mr. Clifford gave it you to sign?—Yes.

4880. Has there been anybody at the post-office, or have you heard of anybody who has made a complaint of not having received a letter which was really sent to the post-office for him?—I do not recollect one.

4881. Has there been any charge of this kind against any of the letter-carriers?—None at all.

4882. When a letter-carrier brings back to you a list, and in the column of signatures there are blanks, showing that he has not delivered all the letters, and he brings the letters also with them, are they put down in a new list?—Yes, they are put in a new list; in our hurry of business we took any list we could.

4883. Have you ever had such a circumstance before, as so many money-letters having come in one day?—No.

4884. Had you ever had anything like the number that came on this day?—I do not recollect ever having so many.

4885. And that threw the office into confusion?—Yes.

4886. But you have heard of no charge of misconduct against any letter-carrier?—No.

4887. Is it commonly known in your office that a letter-carrier secreting a letter which is delivered to him for delivery to the person to whom it is addressed, is liable to be transported for life?—I believe it is.

4888. Is it not generally known that it is a great offence?—Yes.

4889. Mr. *Wrangham.*]—Did you know yourself that the punishment was transportation for life?—Yes.

4890. *Committee.*]—Do you know one of the parties whose names appear in that list as having had letters addressed to them, ever having made a complaint of not having received those letters?—No.

4891. Mr. *Wrangham.*]—How could any party know that there was a letter addressed to him if the postman had never delivered it to him, and had kept it in his pocket?—I do not know that.

4892. Mr. *Hill.*]—The party would know whether he was a voter for Lowther or not?—Yes.

4893. When such persons applied at the post-office to know if there were letters for them, what did you do?—I looked to see.

4894. Where did you look?—Amongst the letters.

4895. That would not tell you if any letter had been misdelivered?—I should see if there was one for the party that applied, and if there was I should deliver it to him.

4896. Mr. *Wrangham.*]—Are the Committee to understand, if a party applied for a letter, you say you would look among the letters, and if there did not appear any for him, you would tell him that there was none?—Yes.

4897. *Committee.*]—These two letters that went out to Robert Ellison, you did not know whether they contained gold or copper till the postman brought in the report?—No, I did not.

4898. The mere circumstance of their passing through your hand did not inform you whether they were copper or gold or silver?—No.

4899. Would your uncertainty be the same with respect to all the letters that passed through the post-office at York?—I should suppose that the whole contained coin of some description, but what I could not speak.

4900. It might be copper or gold?—Yes.

[The Witness withdrew.

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Mr. *Hill* suggested, that as there was some doubt about some of the persons appearing in the list having received the two sovereigns, a publication might be made of the names of those to whom the letters were addressed.

Mr. *Wrangham* objected to such a course being pursued.

John Scaife, called in; and Examined by Mr. *Hill*, as follows:

John Scaife.

4901. ARE you a letter-sorter?—Yes.

4902. And also a letter-carrier?—Yes.

4903. Do you sort during the day, and assist in carrying the letters in the evening delivery?—Yes.

4904. Did you assist Robert Pearson in the Walm-gate district in April last?—I did.

4905. Did you carry a pen and ink for getting signatures?—I did.

4906. Were there a great many money-letters upon that occasion, when you carried the pen and ink?—A great many.

4907. When you delivered a letter did you get the signature?—Yes.

4908. Whenever the party could write, did you make him write himself?—Yes.

4909. When he could not write, what did you do?—He made a cross, and I wrote.

4910. Who asked you to do that?—The party the letter was for.

4911. Did you see any of the letters opened?—Not one.

4912. Did a great number of people flock about you for letters?—They did.

4913. What letters did they ask for?—Principally Lowther's letters.

4914. What did the others ask for?—Some, Blue letters.

4915. Did you assist more than once in delivering money-letters?—Only once.

4916. Did you never take out any one letter upon any other occasion?—Yes, in my district, the round I go in the evening.

4917. Which was that; do you go any other district than Walm-gate?—I do not go the Walm-gate.

4918. You went there only upon this particular occasion?—Yes.

4919. Was it in the morning you went?—Yes.

4920. You went upon this occasion the Walm-gate district, at that time of the day when you are usually employed in letter-sorting?—Yes.

4921. What is your district?—Middle-gate Bar.

4922. Did you take out a letter in Middle-gate Bar?—Yes.

4923. One of the letters we have called sovereign letters?—Yes.

4924. Whom for?—Brierly.

4925. Where?—In Thief-lane.

4926. Did you see the man?—I did.

4927. And delivered it to him?—Yes.

4928. Did you ever hear an application at the post-office window for Lowther letters?—I did.

4929. Do you know a man of the name of Ellison?—Yes.

4930. Did you hear him apply?—Yes.

4931. What did he say?—"Have you a letter here directed for me?" and we asked his name. "My name is Ellison," he said; and the person at the window said "No." "Well," he says, "I have been to Mr. Hudson, and he says there is one;" and we told him that there was not one for him, and he went away.

4932. Do you know that one came afterwards for him?—I do not know that one came, but I heard tell that he had got one afterwards; I do not recollect seeing it in the office.

4933. Then you did not sign any list yourself?—Not one.

4934. How did you manage about this one in your district?—It was a list belonging to Featherstone, a man who carries out both night and morning.

4935. Do you recollect Mr. Anderson coming to the post-office to ask permission to examine the clerks?—I do not.

4936. Do you happen to know that the postmaster thought that he had no right to give permission to the clerks and sorters to be examined?—I do not know that, indeed.

Cross-examined by Mr. Wrangham.

4937. You say you delivered one for Featherstone, was Featherstone with you when you delivered it?—No.

4938. Did

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4938. Did you sign the list of receipts?—The man that got a letter signed it.

4939. Did you sign it at the bottom?—No.

4940. Do not you know that it is the business of the person that had the letter to sign the list?—Yes, but that would be an omission on my part.

4941. You say you went out with Pearson?—Yes.

4942. What day was that?—I cannot speak to that, whether it was the first or the second day.

4943. Do you remember what day of the month it was?—No.

4944. Was it the 15th or the 16th of April?—I cannot say.

4945. You say you carried the pen and ink; what did Pearson carry?—He carried the bags with the letters contained in them.

4946. He did not carry the ink?—No.

4947. You are sure of that?—Yes.

4948. He had no ink with him?—Yes.

4949. How was it that you delivered those letters?—On account of the great number, it would be so very late when he got it done.

4950. How did you help him?—By writing the man's name the letter was for, where he lived, and the street he lived in.

4951. Was that all you did?—Yes, and got his signature.

4952. Did you ever deliver any of the letters yourself on that list?—No, not by myself, not one.

4953. You said something about when you delivered a letter you took a receipt for it?—That was in Featherstone's list.

4954. You said that you wrote the name and address, and when you gave the letter you took a receipt for it; did you deliver the letters?—No, Pearson delivered them, and I had the man's signature.

4955. Why could not Pearson have taken the man's name and address just as quickly as you?—One man can write quicker than another.

4956. How did you help him to get through?—It was done on that account, because I could write quicker than he could.

4957. Was that the only reason?—Yes.

4958. Did you not go to a house and deliver a letter where he did not go?—Never one.

4959. You walked round with him and wrote because you could write quicker than he could?—Yes.

4960. How long have you lived in York?—All my life.

4961. And have seen a great many elections?—Yes.

4962. Is there generally a little drinking at the time of elections?—Yes, a little.

4963. Was there more of that going on at this time than there has been in previous elections?—I cannot say that there was.

4964. Do not you think that there was considerably less than you have seen on former elections?—I cannot speak.

4965. Were you out much in the street?—No, I was not; I live out of the town.

4966. Then whether there was or was not, you cannot say?—No.

4967. *Committee.*]—If Pearson had carried the pen and ink, instead of you having the pen and ink and the bag, do you think he would have got through in the same time that you did together?—No.

4968. What additional time would it have taken?—I should think two hours or an hour and a half longer.

4969. Do you consider that that is owing to Pearson writing more slowly, or to the fact of your carrying the pen and ink and writing while he took the letters out of the bag and delivered them?—I think on account of Pearson writing slower.

4970. Did you write more than those names which appear upon that sheet?—Yes; I wrote some for Mr. Reynoldson.

4971. But on this delivery with Pearson, did you write more than appear upon that sheet?—Here is some of Pearson's hand-writing here.

4972. Did you write any more than what appear upon that sheet?—No.

4973. Then you mean to tell the Committee by that, it would take Pearson two hours longer than it took you?—An hour and a half.

4974. Were you with Pearson when he called at Robert Ellison's?—I was not.

4975. Mr. *Hill.*]—Are you a Blue or an Orange?—I can do no good to either party.

4976. What are you?—I think I should be a Yellow if I could vote.

4977. Mr. *Wrangham.*

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4977. Mr. *Wrangham.*]—Will you state how many names there are in Pearson's hand-writing?—There appear to be six of his, and 36 of mine.

4978. How does it happen that Pearson wrote any, if you were carrying the pen and ink?—I was not with him when he wrote them.

4979. You did not go with him the whole time?—No.

4980. And you wrote 36 names?—Yes.

[The Witness withdrew.

John Featherstone, called in; and Examined by Mr. *Hill,* as follows:

John Featherstone.

4981. ARE you a letter-carrier at York?—Yes.

4982. In what district do you deliver?—Mickle-gate and Walm-gate Bars, without.

4983. Did you deliver the sovereign letters in your own district?—Yes.

4984. Did you see any of them opened?—Some of them.

4985. Do you remember what in particular?—No, not one.

4986. What did they contain when they were opened?—Two sovereigns.

4987. Two sovereigns in each?—Yes, those that I saw.

4988. How many did you see opened?—Four or five.

4989. Did you also assist Pearson in Walm-gate district?—I did.

4990. Was that on the first day?—On the first day.

4991. Was he hard worked?—Yes.

4992. Could he have got through without assistance?—I believe not.

4993. Were there a great many people flocking about him?—A good many in Walm-gate.

4994. What did they ask for?—Mr. Lowther's letters, and the Blue letters.

4995. Did you hear similar applications at the office?—Yes.

4996. Look at those lists, one is signed John Featherstone, letter-carrier, so is the other; did you deliver the letters which have signatures opposite to them?—Not all of them.

4997. Which did you deliver?—I cannot speak to it now.

4998. Who delivered the others?—They were delivered at the window, except one, which was delivered by Scaife; he takes half the district at night.

4999. That was at Thief-lane, was it?—I believe it was.

5000. How many of them do you think you delivered?—Three parts out of the four, I think.

5001. Look at this, which is also signed John Featherstone, letter-carrier; look at that, Samuel Cammage, do you remember that?—I remember the person very well, I know him very well.

5002. And he had a sovereign letter, had he?—Yes.

Cross-examined by Mr. Wrangham.

5003. You cannot say which of those you delivered yourself?—I cannot speak to any but that of Cammage, in Dale-street.

5004. One of them was delivered in Thief-lane?—That was delivered by Scaife.

5005. You cannot say whether that was delivered or stolen?—No; I cannot speak to that.

5006. You say some of those were delivered at the window of the post-office?—Yes, they were.

5007. Did you deliver them?—No.

5008. Who delivered that?—George Whitehead and George Whitwell.

5009. They should have signed their names to the receipts?—They ought to have done it.

5010. You cannot speak to how many you left at the post-office, not having been delivered by you?—No, I cannot speak to how many.

5011. Nor which, with the exception of that unhappy man Mr. Cammage?—I recollect that circumstance very well.

5012. That is the only case you can prove?—Yes.

5013. Are those receipts all written in the hand-writing of the party to whom you gave the letter?—Either the man or his wife, or the daughter or sons; all that I delivered was in the presence of the parties.

5014. Did nobody else sign them?—I believe not.

5015. Did you sign any of them?—I believe not.

5016. You

5016. You must remember if you did?—I do not, indeed. *John Featherstone.*

5017. Do not you remember?—No.

5018. Then you cannot say that you did not sign any one name?—If I did they would make their mark. 17 August 1835.

5019. Will you answer the question, whether you can take upon yourself to say that you did not sign any one?—I cannot speak to it.

5020. Are those in your hand-writing, the first column?—Some parts of it are, some are Scaife's.

5021. Is there any of your hand-writing here?—No, there is none here but my signature.

5022. How is that list made out?—Scaife made it out while I was getting the other letters prepared.

5023. Did Scaife go with you?—No.

5024. Which was the list that Scaife went with you?—Not one of those, except the one that he took for Thief-lane, that was at night.

5025. That was one letter?—Yes.

5026. He did not take any of those round?—No, except one.

5027. With that exception, he took none?—No.

5028. Are you a letter-carrier only?—Sorter as well.

5029. Clerk in the office?—Yes.

5030. How comes it that Scaife writes for you instead of you writing for yourself?—I was getting the other letters ready for delivery.

5031. For instance those names—[*pointing them out*], in whose hand-writing are they?—Those are the parties who sign.

5032. Do you mean to say that those are in different hand-writings?—Yes.

5033. Look a little longer, are they not in one hand-writing; Mr. Hazelgrove, Mr. Fisher and Mr. Berry, are not all those written by the same person?—They are not all written by the same person.

5034. Can you take upon yourself positively to say that they were none of them written by you, looking at them now?—I cannot say that I did.

5035. Can you say that you did not?—I do not remember it; it looks like my hand-writing.

5036. Is it not your hand-writing?—I am sure I cannot swear to it.

5037. Do not you believe that it is your hand-writing?—No.

5038. Look at the writing again?—It certainly looks very like mine, but I cannot swear to it; I believe it not to be mine.

5039. How does that agree with your last answer?—It must be a person that writes like me.

5040. Here are three in a string; does not that circumstance enable you to answer the question; you may as well tell the truth?—I have spoken the truth.

5041. Do not you believe you did write them yourself?—No, I am sure of it.

5042. Any one of them?—I would say that that looks like my hand-writing, but I believe it not to be mine.

5043. Were you there at the time of the election?—Yes.

5044. Were you much about in the streets?—No.

5045. You cannot tell us whether there was any extraordinary quantity of drunkenness in this election?—No, I cannot.

5046. Did you see any of it?—No.

5047. *Committee.*]—You say you saw four or five of the letters opened, and they contained two sovereigns; do you recollect the name of any of those parties to whom a letter was addressed?—No.

5048. Or where it occurred?—No, I cannot recollect.

5049. But the Committee are to understand that you distinctly saw the two sovereigns taken out of four or five letters?—Yes.

[The Witness withdrew.

Mr. *Robert Henry Anderson*, called in; and Examined by Mr. *Hill*, as follows:

5050. ARE you well acquainted with the state of the city of York as to election matters?—Yes, I am. Mr. *R. H. Anderson.*

5051. How long have you lived there?—I have lived there all my life, with the exception of the time that I have been at college.

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5052. When did you first take a part in elections at York?—The first election that I was actively concerned in was in 1818.

5053. On which side were you concerned?—On the part of the present Sir William Cook, then William Bryan Cook.

5054. As his solicitor or agent?—I was then clerk to the town-clerk of York, who was his agent.

5055. You have taken an active part in elections from that time to the present pretty much?—I have.

5056. Always on one side, or sometimes on one side and sometimes on the other?—Yes.

5057. Is that what we call the Orange side?—The Orange or Liberal side.

5058. Are you acquainted with the practice of setting down?—I am.

5059. Has that prevailed as long as you remember in the city of York?—It has.

5060. Was it an existing practice at the time you became acquainted with election proceedings in York?—It was.

5061. And as far as you have been enabled to obtain information on the subject, is the habit a very old one?—I believe it is.

5062. Explain to the Committee what is meant by setting down?—A book or list is opened by the candidate for which the setting down is to be made, and the names of all freemen who wish to have their names put down in that book or list are taken down.

5063. Until the Reform Act, the voting was confined to freemen, was it not?—It was; and it has been usual to pay the persons so set down after the election.

5064. How much?—The sums have varied within the last few years.

5065. What was the ancient sum before they began to vary?—The ancient sum was two guineas for plumpers, and one guinea for single votes, and the money at that time was called the "guineas;" it was known in York by the name of the "guineas."

5066. You said that this payment was made after the election; was it made a sufficient time after the election to be safe against a petition?—Yes.

5067. You have said that the sum has varied within the last few years; will you state the varying sums?—After the election of 1830 the sums paid by the candidates who paid at all were, I believe, two sovereigns and one sovereign.

5068. Two sovereigns for a plumper, and one sovereign for a split vote?—Yes.

5069. Mr. *Wrangham.*]—What book is that to which you are referring?—A book of dates.

5070. When did you make it?—Very recently; they are minutes made in my own hand-writing, to enable me to speak to dates.

5071. Were those notes taken at the time, or near to the time when the transactions took place of which they are to remind you?—No, they were made within the last few days.

5072. And therefore in several instances, several years after the facts had taken place, of which they are to remind you?—Yes; I could state the general time without it.

5073. *Committee.*]—Are they from memorandums of your own?—There are only those two in the poll-book upon the subject.

5074. Mr. *Hill.*]—You had better shut the book. I understood you to say that after the election of 1830 something was done?—The sums paid then were two sovereigns for a plumper, and one sovereign for a single vote. I speak now from general notoriety in the city of York, as the two candidates who paid during that election were neither of them the candidates for whom I was employed.

5075. Next contest was in 1832; do you rememember what was done then?—After the election of 1832, Mr. Lowther paid 3 *l.* for a plumper, and 1 *l.* for a single vote.

5076. You are now speaking from the general notoriety of York?—Yes.

5077. Did any other candidate pay upon that occasion?—I believe not.

5078. Were you concerned for any candidate?—Yes, I was.

5079. For whom?—For the Honourable Edward Petre.

5080. Did Mr. Petre set down?—After the decision of the Committee, of course what I now say respecting Mr. Petre I must speak from common report and notoriety, and not from anything that passed with myself; I put this point, because I understand that my client, Mr. Petre, is entitled to that protection.

5081. *Committee.*]—Have you Mr. Petre's authority to answer questions?—No, I have not.

5082. Mr. *Hill.*]—Then you will judge for yourself if you judge in favour of stating what you know regarding Mr. Petre's connexion with the setting down; you will state it; did Mr. Petre set down?—I believe he did.

5083. Will you tell the Committee under what circumstances he set down?—Because he considered that he would not be returned at that election unless he had done so.

5084. What had led to that belief?—Mr. Lowther had commenced setting down.

5085. Before Mr. Petre had?—Before Mr. Petre, I believe.

5086. After the election of 1832, you say 3 *l.* were paid for plumpers, and 1 *l.* for split votes by Mr. Lowther?—Yes.

5087. Mr. Petre did not pay anything?—He did not.

5088. Did the circumstance of Mr. Petre not paying produce a great disappointment and a strong sensation against him in the city of York?—Certainly, in the minds of the freemen.

5089. We have heard the reason why Mr. Petre did not pay?—Poverty.

5090. Pecuniary circumstances?—I believe so.

5091. Was it an understanding on the part of Mr. Petre as well as on the part of Mr. Lowther and every other gentleman who had persons set down, that they should pay when it was safe to pay after the election; was that the understanding upon which the whole transaction has always proceeded within your memory?—It is.

5092. Is it considered by the candidate and his agent on the one hand, and by the voters on the other, to be the agreement that they should be paid for their votes, when such payments could be safely made after the election?—There is an understanding that such should be the case; the freemen would understand it so, and the candidate would understand it so.

5093. *Committee.*]—As the payment for the vote?—That would be the understanding; if it had not been for the vote, they would pay the same sum in all cases; the payment differs, as between the plumper and the single vote.

5094. Mr. *Hill.*]—We have heard of messengers and so on; is this body of persons who are set down, called upon for any services except that of voting for the candidate?—Some of them may be, not the whole of them.

5095. I ask you, as a body, is that body called upon?—I apprehend not.

5096. Is the name of an infirm voter refused because of his infirmity?—Certainly not.

5097. If a bedridden person were to send his name to be set down, would it be refused because he could give no service as messenger, or in any other way?—It would not be refused.

5098. During the whole time that you have been connected with the elections of York, did you ever hear a suggestion that the setting down was for services to be *bonâ fide* performed other than voting?—No; not to be *bonâ fide* performed.

5099. You make a distinction; just explain that?—Prior to 1830, the guineas I believe were paid, as well as certain money called running-money.

5100. Explain what the running-money was?—The running-money was pretendedly for services, but about the year 1830 the Act was passed rendering null and void the vote of any person employed in any way whatever at elections.

5101. You allude to Lord Althorp's Act?—I forget the name of the Act; it is about 1830, which made it quite as dangerous to engage runners and to pay them by that name, as to pay the guineas. Since that time the setting down has been the only means that I am aware of, of creating an understanding between the candidate and the voter that some remuneration would be paid to him.

5102. Then before 1830, were all who were set down paid running-money as well as this after payment of voting-money?—Yes; the old practice was to pay both, I believe.

5103. Were they both paid at the same time, or was the running-money paid at the election?—The running-money was generally paid after the election, before the time of petitioning expired, but the guineas being manifest bribery, and being according to the votes, without any excuse of employment, were not paid till after the time had expired for petitioning; and the statute that I have alluded to made the objection the same as against runners as it was against other persons.

5104. That is to say, the statute disqualified persons who were receiving money for their services at the election, from voting?—Yes.

5105. And then it was that the running-money was given up?—It was, as far as I know.

 5106. What

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5106. What was the running-money before 1830?—Five shillings a day.

5107. Then, in point of fact, the voter would receive much more than his guineas for his vote before 1830?—Yes.

5108. Some, you say, were actually employed as messengers?—Yes.

5109. Would those be paid more than those not employed?—Yes.

5110. More than 5 *s.* a day?—They would be engaged a much greater number of days, their allowance would amount in some instances to 5 *l.*, 6 *l.* or 7 *l.*

5111. When you say that the nominal runners were allowed 5 *s.* a day, what number of days were they allowed for?—According to the time when they were set down; I am speaking now of 15 years ago, as far as my knowledge has been; I have known on one occasion the running-money to amount to as much as 2 *l.* 15 *s.* per man.

5112. When you say that they were paid for so much as they were set down, was that a matter of arrangement between the voter and the candidate, how much he should be set down for?—No; the time that he was set down for was calculated to the time of the election, and from that time to the day of election those days were calculated.

5113. Then he was paid for every day from the day that he was set down, till the close of the election?—Yes; I think till the close of the election, or to the day of nomination; but I forget which.

5114. Those who were intended to be *bonâ fide* messengers were set down for a greater number of days?—Yes; in all elections it is necessary to call in a certain number of messengers to manage the election, those must of necessity perform real duties, and must also be engaged a much longer period.

5115. Do I understand you to say, that persons who gave *bonâ fide* services were rewarded in a different manner and upon a different scale from the nominal runners?—Certainly.

5116. And that the running-money, whether for real or for nominal services, was always distinct from the guineas?—At that time.

5117. And up to the year 1830?—I think up to the year 1830; I should say, that in 1830 it would be varied at that time, in consequence of that statute; I do not recollect the date of that statute, but it was immediately after that that the parties were more cautious.

5118. Is that Act you are speaking of, the 7 & 8 Geo. 4, c. 37?—Yes, I think it is.

5119. Then the election of 1830 would be probably the first election after that Act?—Yes; it ran in my recollection that the statute passed in 1829; but that must be the statute.

5120. In 1835, at the last election, were you engaged?—No, I was not, not for any candidate that appeared in the field.

5121. Did you take part as a voter and a person connected with York, as any other person might do?—As any other person might do, but I took no part professionally for any candidate.

5122. Was it notorious in the city of York at the last election, that Mr. Lowther was setting down?—It was.

5123. Have you any doubt that upon that occasion the understanding in the minds of the voters who were set down, was that they were to be paid for their votes?—I have no doubt of that.

5124. Has the setting down been ever applied to any other use than that to ascertain who were to be paid after the election was over?—I am not aware that it ever has.

5125. Were you about the town during the election, much last time?—I was.

5126. You say you have been very well acquainted with the state of the town on former elections; as to drunkenness, was there more or less drunkenness at the last election than at former elections?—My opinion is, that there was considerable more drunkenness during the last election than in former elections, that is my opinion, and I remarked it at the time: I saw men lying down in the streets drunk on the pavement, so drunk, that the only thing they could speak would be, "Blue for ever," or something of that kind.

5127. Had you any other means of observation?—No, I had no other means of observation except that, seeing instances of that kind in passing along the streets.

5128. In what party was the drunkenness amongst, principally or altogether?—As far as my observation went, I should say the Blue party.

5129. Did

5129. Did it prevail more than it did among the Blue party in former elections?—I think so.

5130. With regard to these money-letters, did they produce a great sensation in the town?—A very great sensation.

5131. Did you ever know any transaction connected with electioneering which produced so strong a sensation in the town as those letters, some delivered from the post-office, and some by the porters of the coach-office?—I cannot say that I ever knew a circumstance which produced so much sensation in York.

5132. Did you vote for anybody in the election, or had you a vote?—I had a vote; I did not vote for anybody at the last election.

5133. Had you any particular reason?—My reason is a matter of honour between myself and Mr. Petre; I had a disinclination to do it upon private grounds, which I will state to the Committee if they wish it.

5134. That is not of much importance. Were those letters of which you have been speaking considered by the people at large as the accustomed payment for the votes, according to the understanding held out by the setting down?—Certainly, they were considered as a fulfilment of that understanding that had existed between the Blue freemen and Mr. Lowther's committee when they were set down.

5135. Have you anything more to state to the Committee?—I have not.

5136. *Committee.*]—If it has been customary to pay the guineas for a great number of years, why should they be surprised at receiving the sum in letters?—It was the mode in which it was done that created a great surprise, the secret and new mode.

5137. What used to be the practice in the payment of the guineas?—They used to be paid openly and publicly.

Cross-examined by Mr. Wrangham.

5138. Am I to understand that the virtue of the good people of York was to be shocked by the two sovereigns going through the post-office?—I never said that they were shocked; they were surprised at the method of paying this money, and coming through the post-office was extraordinary.

5139. And therefore you say that the payment of it through the post-office has created a greater sensation than any other matter in York?—All I meant to say was, that it created a greater sensation with respect to electioneering than any other matter on that subject that I ever remember.

5140. What did you have to do with these petitions, or either of them?—I am the agent in the country of the petitioners.

5141. As agent for the petitioners, what have you had to do with either of the petitions?—I have assisted in preparing them.

5142. Both?—To a certain extent.

5143. Both?—Yes, either by advice, or by actually drawing them.

5144. Did you draw either of them?—I was concerned in doing so.

5145. Which?—Either by advice, or by writing, I was concerned in both of them.

5146. Which did you draw a draft of?—I did not draw myself positively of either of them.

5147. Then you are not concerned for both of them, either by advising or by drawing them?—Yes, with both of them.

5148. Which were you concerned in drawing?—I was concerned in the first one; in drawing it there were other persons consulted about it.

5149. Whose names appear to it as parties?—Yes; and whose names do not appear to it.

5150. Will you state any of the parties who were consulted whose names do not appear?—Mr. George Leman.

5151. And you say, that you observed more drunkenness at this last election than you had ever observed before; had you greater leisure for observation this time than you had before?—I believe I had greater leisure.

5152. Did not that leisure arise from your not being employed for either of the candidates?—Of course it would.

5153. You have spoken of the practice as it existed in York; how often have you been employed as agent for any candidate?—I am not aware of any election that has occurred since 1820 except the election of 1835, the last one, in which I have not been engaged.

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5154. In all cases in 1818 you were engaged as clerk; then there was an election of 1820, for whom were you engaged then?—Marmaduke Wyvill.

5155. Is that the son of the late Mr. Wyvill?—Yes.

5156. Do you mean to say that that practice prevailed on the part of Mr. Wyvill?—To the best of my recollection, I believe it did.

5157. In 1826 there was another election?—Yes.

5158. For whom were you agent then?—Mr. Wyvill.

5159. In 1830 there was an election?—Yes.

5160. For whom were you agent?—For Mr. Petre.

5161. In 1832 again for Mr. Petre?—Yes.

5162. You are entirely conversant with what passed on the part of those gentlemen connected with the election?—Yes.

5163. Were you concerned as agent for those gentlemen in paying the guineas; I am taking the run of the elections?—There is a difference between them.

5164. Will you state in which you were concerned?—In 1832 there were no guineas paid by the candidate that I was engaged for, and in 1830 there were no guineas paid; a committee was held, and it was determined not to pay them.

5165. In 1826?—In 1826, I believe, the runners were not paid the guineas; that was before the passing of the statute that I have been alluding to.

5166. In 1830, when the same gentleman was a candidate?—I believe that both were paid at that time.

5167. Were you concerned in the payment of those guineas as an agent would be?—I should know possibly that such was the case.

5168. Did you pay any of them?—I have no doubt that I have been present or paid them.

5169. Been a party?—Yes.

5170. Did it ever occur to you to advise or draw a petition as long as you were so employed in paying those guineas?—No, certainly not; I should not have thought of petitioning except I was engaged for a party pure itself.

5171. In this case you were not engaged for any party at all?—In 1835 I was not engaged at all, and therefore it could not be impure.

5172. I ask you whether it ever occurred to you to petition till you found yourself without a client at elections?—Yes, many times.

5173. Did you ever draw one?—Yes.

5174. When?—In 1830, I think I drew one.

5175. Was it presented?—No; petitions have been frequently prepared, and consultations have been held with a view to destroy the system that has been carried on in York, but there have been difficulties invariably occurred; one of those difficulties certainly was, that none of the candidates were with pure hands till Mr. Barclay came at the last election.

5176. And therefore you have been party to consultations prior to the election in 1835 with a view to get up a petition against the system?—Yes, many times; I have been very anxious to get the system destroyed.

5177. Was it your anxiety to get the system destroyed that led you to set down the men?—I was against it, and it is well known by my confidential friends that I opposed the setting down there, but I was overruled.

5178. Did you not, in point of fact, hold out expectations to the freemen on the part of Mr. Petre that they would be paid?—If you ask me the question whether I individually held out those inducements at the time, I should say that I did not, because I opposed the question at the time, but as soon as it was determined that they should pay, I gave my consent; I had no option.

5179. Did you hold out hopes, after the decision of the committee, to the freemen that they should be set down and paid?—None other than what will arise from the fact of setting down; the mere fact of setting down would be holding out a prospect to the freemen that they would be paid.

5180. Did you direct the system of setting down to be pursued?—I believe I was with Mr. Petre when he gave the directions.

5181. Did that arise from that virtuous anxiety which you have described to get rid of the system?—We had the choice of difficulties, to lose the election, or set down.

5182. And this was a motive that operated upon your mind, that rather than lose the election you would commit what you believed to be a crime?—I should do what I did, if it was a crime.

5183. You

5183. You have said that you considered it a manifest bribing?—I think I said at the time the guineas were paid, it was manifest bribery.

5184. Do you or not consider that the setting men down to be paid as runners in the election is manifest bribery?—I think it amounts to bribery; whether you lay any particular stress upon the word manifest I do not know.

5185. Then you came here to state that you have committed a series of acts of bribery rather than lose the election?—No; I came here to tell you that I considered it my duty, as agent to the party at the time, it having been determined by the committee that it should be so.

5186. And no doubt your virtue was seduced?—I have told you the facts.

5187. That was sufficient to overcome your indignation at the crime?—Quite sufficient; it came to the question whether Mr. Petre should lose the election or set down, and it was considered right to set down.

5188. It never occurred to you to throw up your retainer from your virtuous horrors?—No, it never did.

5189. You consented and became a party?—Yes, in the manner that I have said.

5190. You have never taken any part in a petition that has been presented till you were without a client?—I might have had a client in the last election if I had wished.

5191. You tell us that you have been engaged in all those elections on one side from the year 1818 downwards, with the exception of the last election; do you therefore speak with positive certainty as to these practices being pursued by the party whose agent you were in all the elections?—I have made distinctions between the different elections.

5192. In all elections where either runners or guineas were paid, was there setting down?—I should think there was setting down in 1820, and in 1826, and in 1830, and 1832.

5193. That is all?—Yes, I believe it is; there might be some elections where there were no contests within those periods, to which my memory does not extend.

5194. Do not you speak with positive certainty as to that practice having prevailed, which you have described on the part of that party for which you were the agent?—Yes.

5195. You speak from positive information?—Yes; the publicity of the whole proceedings on both sides was such that all York knew it.

5196. I am asking you whether you speak from such information as to enable you to speak with certainty?—Yes; I should be able to speak with more certainty as to my party than to yours.

5197. You will take notoriety for the Blue party, but positive fact as to the other party, for which you were concerned?—Yes.

5198. You say that Mr. Petre entered into an understanding with the freemen in 1832, to pay those who promised him their votes?—To pay those who were set down.

5199. That was the promise?—I considered that, in connexion with the practice at York, to be equivalent to an understanding.

5200. Was it so understood between you and Mr. Petre?—I considered that it would be.

5201. Was it understood between you and Mr. Petre; did you mean to hold out to the men an expectation that they would be paid?—No question. Mr. Petre could understand nothing else.

5202. And you of course could understand nothing else?—I could not; one reason I objected was, that I considered that there was danger of Mr. Petre not being able to pay the money.

5203. Part of your objection to this system in 1832 was the doubt whether the promises held out would be fulfilled?—Yes.

5204. And you have said that the non-payment of the running-money in 1832 prevented Mr. Petre from coming in at the last election; has it occurred to you that the breaking of a promise, quite apart from money considerations, would have a considerable effect upon the election?—Yes, certainly. I should consider it certainly very dishonourable if a gentleman had given an understanding to a number of poor freemen that they were to receive a certain sum of money; I should not think it honourable if he did not keep his word, if possible. We were advised after that election that he would vacate his seat if he did not pay.

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5205. Were no intentions entertained of paying at a subsequent period?—I have no doubt that if the money could have been supplied it would have been paid.

5206. So that you do not impute to him that virtue which pervades your mind; but Mr. Petre would have paid if he had had the money?—I should say that he would.

5207. You say that you have known the running-money upon one occasion to amount to 2*l.* 15*s.* per man; when was that?—I think it was 1826.

5208. Did the election close a day too early to prevent its coming up to 3*l.*?—I believe that was the fact.

5209. Are you speaking of what was paid by Mr. Wyvill, when you speak of the 2*l.* 15*s.*?—Yes; I would not pledge myself to the precise sum, but I know that it was a fractional sum, and I think about that.

5210. You have told us that previously to 1830, both the running-money and the guineas were paid?—Not in every election. It was not paid in 1826.

5211. Did Mr. Wyvill come again?—In 1826 he did.

5212. Did he come in 1830?—No; in 1830 Mr. Petre, Mr. Dundas and Mr. Bayntun were candidates.

5213. You say that prior to that the general custom had been to pay the running-money and also the guineas?—Yes, I think it was; I cannot speak with such great certainty to that from the distance of time.

5214. And since that, whether from fear or from a portion of that virtue which seems so prevalent here, the payment of the running-money has been discontinued?—As running-money.

5215. And now two sovereigns for a plumper and one sovereign for a split vote are paid?—Yes; but Mr. Lowther exceeded that in 1832.

5216. Taking the understanding, as you have understood it, to prevail since 1830, would not you say that the running-money has been discontinued under that head?—Yes, I think it has, inasmuch as I have never heard of any fractional sum being the sum paid; that is the principal reason I have.

5217. It must be a consolation to your mind to find that a part of the sum has not been paid?—Yes; but it was no part of my consolation to find that Mr. Lowther had increased the sum; I should wish to see the elections more pure than they are at present; a man with money may get in.

5218. That gives you great pain?—I cannot say that I was pained by it.

5219. You did not go quite so far as to weep over the corruptions of your native city?—Certainly not.

5220. What was the understanding as to the payments to be made by Mr. Petre in 1832?—I have told you as nearly as I can; I should say, though I never heard the circumstance mentioned, that the sum would have been 2*l.* and 1*l.*

5221. Was there anything said about their having 5*s.* a day?—Not that I heard of.

5222. You heard a witness talking about an order coming from you about setting down men and their running for Mr. Lowther?—What he alluded to was the setting down.

5223. That was not on Mr. Lowther's side?—Yes; but when they found a Liberal candidate upon the same basis as the Blue candidate, they ran away from the Blue.

5224. Could it not have arisen from the understanding that they were to have a little more on Mr. Petre's side?—It is possible, but I do not believe that it did, because it was quite out of the question going out of 2*l.* and 1*l.*

5225. Why out of the question; because if the man could not pay he might as well promise five as two?—I never heard of such a thing as a promise to pay five.

5226. How high have you heard promises made?—I never heard any sum mentioned.

5227. Did you never hear that he promised more than 2*l.*?—I never did; Mr. Petre never mentioned any particular sum at all.

5228. It might be above two?—The understanding of the freemen would be 2*l.* and 1*l.*

5229. The matter being between Mr. Petre and Mr. Lowther, if, as you suppose, each were putting down 2*l.* and 1*l.*, where was the inducement to the voters to vote for either one rather than the other?—The Lowther men and the Petre men being then placed upon an even level, the principle of giving their preference to reform and reform principles would take them from Mr. Lowther and bring them to Mr. Petre, but it would not take them till Mr. Petre had placed them on a level as far as regards remuneration.

5230. These

5230. These men are friends of reform?—They said so.

5231. But they reckoned 2*l.* better than reform?—Yes; that is the feeling of the poor freemen in York.

5232. But in this case those patriotic freemen, or whatever they were, did exercise a selection between Mr. Petre and Mr. Lowther?—When they were placed upon even terms.

5233. What was the mischief that has originated from the setting down in that election?—I am not aware of any mischief that occurred.

5234. Would not the return have been the same if neither party had set down?—Yes, it would.

5235. Then the setting down in that case did not in fact corrupt the minds of those incorruptible gentlemen, if they voted according to their sentiments after all?—As between Mr. Lowther and Mr. Petre; but there were other parties that did not set down at all in 1832. The candidates would be Mr. Bayntun and Mr. Petre, Mr. Thomas Dundas and Mr. Lowther.

5236. What did Mr. Bayntun do?—He acted upon pure principles at that time.

5237. And was returned?—Yes.

5238. By a very considerable majority over Mr. Lowther and Mr. Dundas?—I do not think very considerable; but the poll-book will tell.

5239. Were not Mr. Bayntun's supporters at that election chiefly to be found among the lower order of freemen?—I cannot answer that with certainty; he was very popular with all parties.

5240. Was he not particularly popular with the lower orders?—I think he was.

5241. But the popularity of Mr. Bayntun carried him 300 over Mr. Lowther's head, when Mr. Lowther was setting down and he was not?—Yes.

5242. That speaks something to the purity of those voters?—It does; it was one of the first instances of their independence that I had ever occasion to admire much.

5243. At the last election did Mr. Dundas set down, in 1835?—I understand not.

5244. There was another man returned who did not set down?—Yes.

5245. The independence of York seems to be rising?—I think it is; my opinion is, that York is getting better, but if the old practices are to be persisted in, and the secret mode of paying to be introduced and to be safe, it will not continue long, for any two rich men will be forced upon the city in spite of all principles and politics.

5246. But in 1832, there was this rich man, Mr. Lowther, setting down, and was beaten by Mr. Bayntun; how was that?—With regard to Mr. Petre, by putting down he placed himself upon terms of equality with Mr. Lowther, and then Mr. Petre's principles were preferred to Mr. Lowther's. As to Mr. Bayntun, Mr. Bayntun was a man that was exceedingly popular; he had conducted himself in the town exceedingly well; he had turned from Tory politics to Liberal ones; and he had conducted himself in every way so to the satisfaction of the city, that being the state of the case, the freemen preferred Mr. Bayntun to Mr. Lowther.

5247. Was Mr. Bayntun's ratting during the session of Parliament one part of that admirable conduct of which you speak so highly?—I do not consider it was ratting.

5248. Was he not returned by the Tory interest at York?—Yes; but Mr. Bayntun professed certain liberal principles, which if he acted up to, were not very inconsistent with those that he followed afterwards.

5249. Was it very admirable that a person returned for the Tories should vote for the Reform Bill?—I thought that his conduct in changing was highly in his favour; that he could not have changed but upon principle, because he was opposing his own friends in Parliament.

5250. Did he gain new friends?—A great number, and he was surrounded by new friends that brought him in.

5251. He was getting a crop of new ones, and he lost a few old ones?—That shows that York, if left independent, is in favour of liberal principles.

5252. Still you say, that if York is left to itself——you said that York was not left to the system in 1832?—No.

5253. But still the liberal principles prevailed by an immense majority?—Yes; because Mr. Lowther's politics were very deeply tinged with Toryism, indeed so strongly, that he was very unpopular.

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5254. Does this triumph of liberal principles over the seductions that Mr. Lowther was able to put in force, lead you to believe that the representation of the city of York may be said to be offered to the highest bidder, when the highest bidder was beat in 1832?—If practices that have been committed by Mr. Lowther since the last election be allowed to continue, I have no hesitation in saying that it will be.

5255. This was continued in 1832, to a certain extent?—It was an occurrence that you can hardly look for again, the popularity of Mr. Bayntun; I never knew an instance of that before in York, and therefore it is an exception.

5256. But it is very recent?—It is; on the other hand the great majority for Mr. Lowther in 1825 may be equally extraordinary, and can be accounted for only by the hope of their getting three sovereigns, the high premium paid by him at the preceding election.

5257. Was not Mr. Bayntun returned three times running for York, in 1830, 1831, and 1832?—In 1830 he was; and if there was an election in 1831, I should think he must have been returned at that time.

5258. And he was returned in 1832 again?—Yes.

5259. Do not you think that his popularity in those three successive elections since 1830, is something more than an exception to a rule?—No; it must be recollected that Mr. Bayntun paid the guineas after the first of those elections.

5260. But not after the second?—In the second there was no contest.

5261. It was quite hopeless to oppose the Reform candidates?—Yes.

5262. But he did not set down in 1832?—I believe it is notorious in the town that he did not.

5263. But he succeeded then?—Yes.

5264. Is not this unchanging adherence to him on the part of the voters of York something more than an exception?—No, it is the case with one man; the popularity was unusually great, greater than of any man I know, except that of Mr. Wyvill's.

5265. In that case the guineas and the running-money had something to do with it?—If he got rid of the guineas, it was a great deal for one election.

5266. The two guineas would not be paid until long after the election, therefore the non-payment of the guineas had no influence upon the election?—It was very well known that he would not pay them.

5267. Who stood at that time?—I think the Hon. Thomas Dundas in 1826, and Mr. Wyvill was another, and Colonel Wilson was the third.

5268. Colonel Wilson and Mr. Wyvill came in?—Yes; Mr. Dundas retired, and they were returned without any contest.

5269. Wilson was Blue, and Wyvill was a Yellow?—Yes.

5270. Would that have anything to do with this virtuous abstinence from paying the guineas?—No, I do not think it would.

5271. You say it was the practice in York to pay the guineas when there was no contest as well as when there was?—Prior to 1826, I should have understood so; but that is a period when upon that minute point I should not be able to speak positively, for I do not recollect any case back to 1818 where there was no contest.

5272. In the only case where there has not been a contest, in 1831, the guineas were not to be paid?—No.

5273. The Dundas family have been connected with the representation of York for a long time?—Yes.

5274. The present member and his brother, and his father for many years back?—Yes.

5275. Will you tell us what the politics of the York corporation are?—The politics of the York corporation are Whig.

5276. Almost exclusively?—Nearly so; there are a great number of Tories in it, but it is decidedly a Whig corporation.

5277. Among the aldermen there is but one Tory?—There are more; there is Alderman Oldfield.

5278. He is the postmaster?—But he is a Tory, and Alderman Barber; and Alderman Dale, I think, was, but he has changed.

5279. But Alderman Barber takes no part in the elections?—As much as ordinary gentlemen do.

5280. Did you ever know him vote at an election?—I am sure I do not know, but I have heard of his servants voting.

5281. Cannot

5281. Cannot you tell whether he votes or not?—No; I do not know that he does not.

5282. Have you any recollection of his having voted?—I do not know either way; if I was asked, I should be obliged to refer to the poll-book.

5283. Of the others who do vote, taking Mr. Oldfield as disqualified, and Mr. Barber as not voting, and Lord Dundas as not able to vote, the other 10 are Whigs?—Alderman Dale was a Tory; he has changed recently.

5284. He has been guilty of the admirable conduct of changing?—Yes.

5285. The aldermen as a body are exclusively Whig?—Yes, it is a Whig corporation.

5286. That must be notorious to every person in York?—Yes.

5287. No person would hesitate to give a candid answer to that question?—Nobody that knew what the question was.

5288. An election agent must know it?—I should think so.

5289. When you were agent for Mr. Petre, did you do anything in the way of Christmas boxes; I am referring to the trial of Bayntun and Cattle; you were a witness?—Yes.

5290. Do you remember giving evidence with respect to the payment of Christmas boxes?—No.

5291. Was it with reference to taking up freedoms?—Yes; I was called to prove a circumstance.

5292. Did you pay for taking up freedoms?—For a certain number of freemen who voted for Mr. Petre and Mr. Dundas, and I proved the sum, which was upwards of 400 *l.* I was called there to account for a much larger sum which had been paid by the other side for the same thing, Mr. Bayntun at that time disputing their accounts.

5293. Whatever may have been the understanding on the other side, you can speak positively in as far as your own side were concerned; the setting down and the running were avowedly for the purchase of the votes?—Certainly, it was to induce them to come to vote.

5294. And giving them a sum to induce them to come was paying them for coming?—Yes.

5295. That was the practice of the Whig party?—Yes, and of the Tories too. I have been upbraided and found fault with for not paying after 1832.

5296. You knew better what had been the understanding by the Orange party than by the Blue?—Yes, that is, I could give much more particulars.

5297. And speak with much greater certainty?—Yes.

5298. As far as the Blues are concerned, you speak from notoriety?—Yes; and I have been informed by members of the committee.

5299. You do not speak from your own knowledge where the Blues are concerned?—No; but I have as great moral certainty with regard to the Blues.

5300. But your reason for arriving at the moral certainty is more conclusive on the part of your own friends than the other side?—I should not say that it was.

5301. Not when you have been a party to paying?—I should say not; I have heard Mr. Hudson himself state to me that it was much more honourable to have paid as they had done recently, than to have promised and not pay at all.

5302. That is a proposition which you would not dispute?—No; but that admits that a promise has been made upon their side as well as ours.

5303. You do not place more implicit reliance upon that circumstance than upon what you hear?—As a general rule I should.

5304. Applying that general rule to any individual case, if you saw a man receiving two guineas, would you not believe him more firmly than if you heard it?—Certainly; but I said I had the same moral certainty.

5305. Supposing that Mr. Petre had fulfilled his promise after 1832, and had again set down in 1835, and you had enjoyed the *dignitas* of being his agent, I ask you whether you would have had anything to do with a petition of this kind?—No; I should not, if I had not been perfectly pure. As far as the last election goes, I have not had any part in it.

5306. But the petition makes allegations with reference not simply to the last election, but to preceding elections?—Allegations respecting preceding elections were brought forward to show what was done in the last election.

5307. How comes it that you, being so intimately acquainted with all this corruption on the part of the Orange party, gave your sanction to a petition which is levelled against the Blue party only?—I apprehend that the last petition is not

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levelled against the Blue party only; the one is levelled against the Blues, because there are certain circumstances which we could not mix up with a general petition.

5308. Is there any allegation against any Orange candidate?—Yes, there is a general charge.

5309. In either petition does the name of any other man than Mr. Lowther appear as a party charged with corrupt acts?—There are two petitions, the one being of a general nature to trace the proceedings of Mr. Lowther entirely; and there is another petition which strikes at all parties; and if I am called upon to state why there were two, I would state that the reason why there were two is, that it was found necessary to explain minutely the proceedings of Mr. Lowther in particular, inasmuch as we had not any positive proof against Mr. Dundas, and we thought therefore that the only proper and safe plan was, to lay two petitions before Parliament, in order that both parties might be criminated if they could be.

5310. Do you mean to tell the Committee that you were searching for evidence to inculpate Mr. Dundas?—Yes.

5311. When you drew the first petition?—Yes; I had searched; I was engaged shortly after the last election to petition on behalf of Mr. Barkley for the seat, and if the receipts that afterwards passed through the post-office had been sent before the expiration of the time allowed for petitioning, a petition would, on the part of Mr. Barkley, have been presented.

5312. That was the reason that it was not?—Yes.

5313. You are not aware that there is no restriction to a petition being presented under those circumstances?—I am aware of an order of the House, but I am not aware of any instance that has come under that order.

5314. Are you aware of an instance from Hull?—I am aware that it was not allowed, and was very nearly being presented within 28 days upon that order, but an accident prevented it.

5315. Had the circumstance of no recognizances having to be entered into and no costs to be paid, nothing to do with turning this matter into a petition of this kind?—No, I consider not; Mr. Barkley happened to be in Paris up to the expiration of the time; we could not get communication with him, and when the communication was held with him it was too late.

5316. And this petition would have been presented as an election petition?—Not exactly in that form, but it was the groundwork of it.

5317. What concern had Mr. Barkley with this petition?—He has been assisting, he has given his goodwill.

5318. Had he anything to do with the other petition?—He wrote to me upon the subject.

5319. Was he the first mover?—In his own election petition; the election petition would have been from Mr. Barkley himself; this is a petition which embodies the principal facts that we were prepared to prove, had the election petition gone on, with the addition of the post-office receipts.

5320. Mr. Barkley having originated the notion of an election petition, did he not originate the notion of this petition, when the other was found to be too late?—He did not; this originated in a society in York, formed for the diffusion of useful knowledge; a motion was made by a gentleman there after the post-office receipts had been sent to the freemen, and a speech was made by a gentleman there, that if this practice was not put down there would be an end of returning any member for York without money; that was the origin of this present petition.

5321. Had any signed this that were not electors?—I am not aware of that; it was said there were two or three.

5322. Are you acquainted with the petitioners generally who have signed this?—Yes; I cannot say that I have known the whole.

5323. Can you say whether any of them have participated at any time in the Orange bounty?—What do you mean by the Orange bounty?

5324. What you call the guineas.—I cannot tell that, because the last time the guineas were paid was very distant, it would be I should think 1820, therefore it is impossible that I can recollect it.

5325. We will call it set down by Mr. Petre in 1832; do you recognise any of your friends there?—I recognise one special messenger in 1832.

5326. You do not recognise the names, do you?—No, except one who was a special messenger.

5327. Is there anybody like yourself who has been concerned in dispensing?—As to dispensing, there was no dispensing, because it was not paid.

5328. Any of those who were engaged in setting down?—Yes, there is one; that is the name that I alluded to.

5329. Who is that?—Mr. Barnabas Mitchell; his name is there.

5330. Was he employed in 1832 in setting names down with the understanding that the men would be paid?—He was; that understanding would follow as a matter of course.

5331. When was Mr. Barnabas Mitchell converted?—During the time that I have known him he has been always a Whig.

5332. When was he converted to a sense of his guilt?—To the necessity of making York pure.

5333. To the sense of his guilt?—I dare say he would not acknowledge that there was any guilt about it, but he felt the necessity of establishing purity in York in the present year.

5334. The language which Mr. Barnabas Mitchell uses with the other petition is, "to foster and perpetuate a wicked and disgraceful system in the city of York;" when did he begin to find out that that system was likely to "foster and perpetuate a wicked and disgraceful system in York?"—I do not know when he signed it; I heard him say that he wished something could be done to render York more pure.

5335. Was that since he used his pen in setting down?—Since that time.

5336. In 1832 do you remember the committee-room in Mr. Lowther's interest being broken into by a mob?—Yes; I do not know by a mob; there were five or six, as I understood, that went and broke open a door in Stone-gate, at a public-house there; I forget the sign of the house.

5337. Was it the Punch Bowl?—Yes, it was.

5338. Do you remember any of the parties who were concerned in that?—I was not there myself.

5339. Do you know any of the parties who were concerned in it?—I know one of the parties who was supposed to be concerned in it.

5340. Who is that?—Mr. George Leman.

5341. Have you and he ever had any conversation upon the subject?—Yes.

5342. Was he in your office at that time?—Yes.

5343. Did you, in point of fact, pay for the damage done?—Yes, I did; I considered that being a damage done to the house under misapprehension, I inquired particularly into the circumstances; he told me that he did not break the door.

5344. Was he not there?—He was near there; they broke open the door, fancying that bribery was committed in that house, and information was brought to me that a disturbance had taken place there, and I went down to the house, and thought it my duty to make a compensation to the landlord for that damage being done.

5345. What was it you paid, 5*l.*?—I forget now; I should think not so much; my memory is 4*l.* something, but I do not remember the exact sum, but I paid that which I thought right; it is usual in all cases of that kind to make compensation.

5346. Do you know a person of the name of Robert Wand, a cabinet-maker, on Barker's-hill?—I do not recollect the name; it is very likely that I should know him if I were to see him.

5347. He is a lame man?—I do not recollect him by name.

5348. Do you recollect a person answering that description coming to your office previous to the election of 1832?—The immense number of people that came to my office previous to the election of 1832 is such, that it is impossible that I can remember that.

5349. Were you setting down there?—No; a man might come to my office and the clerk take his name down, but the setting down was at Etridge's, to the best of my recollection.

5350. Did he ask you whether he was to have anything?—I do not recollect that, but it is not at all impossible that he might say so.

5351. Do you recollect a person of that name applying to you preceding this last election, before it was known that Mr. Petre would not stand?—I do not recollect the name; it is very possible that he might.

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5352. Did you not pay him, or any person, 2 *l.* previous to the last election?—Yes, several persons.

5353. What for?—For several persons who were employed as special messengers; they were not paid the amount before.

5354. Do you remember whether Wand voted a plumper for Mr. Petre at that election?—No.

5355. Did you say to any of those voters that Mr. Petre would be down presently with plenty of money, and that they should be paid?—Yes; I had received information from Mr. Petre that he intended to come and pay those persons. The freemen came to my office in great numbers, I should think several hundreds, to know if Mr. Petre was going to pay. I told them all I could say was, that Mr. Petre said that he would pay.

5356. When was this?—In January this year.

5357. You told them that Mr. Petre told you that they were all to be paid?—I told them the fact; but I knew very well that there was a great doubt as to whether Mr. Petre would be able to do it or not; and all I could say to them was, that I had received information that he would do so.

5358. From himself?—Yes.

5359. That was in reference to the setting down in 1832?—Yes; the application was made to me by persons who were set down in 1832, and who wished to have their money.

5360. Did you give them that sort of hope arising from his assurance?—I stated the naked fact, because I was quite certain that there was great doubt whether Mr. Petre did intend to pay them or not.

5361. But that was so recent as the last January?—I should think it would be in December; at that time Mr. Petre had written to me, to say that he should come forward as a candidate at the last election.

5362. You did not express to him your indignation against setting down?—No, I could do nothing more than I did. I told the bare fact that I had been written to, to say that that money was to be paid.

5363. Do you remember a man of the name of Bridgewater?—I do not remember the name; if you will allow me to refer to the book, I will give you the name, I dare say.

5364. Is the book in town?—Yes.

5365. There are two Bridgewaters; John and Thomas?—I think I remember the names.

5366. Do you remember paying 3 *l.* 10 *s.* to each of those?—No; the fact was this, that being written to by Mr. Petre, he desired me to make such arrangements as were necessary to carry on his election. I sent 30 special messengers, that I conceived would be useful men for the election, and that had been concerned at the election before, and I paid them for the election of 1832 for their actual services.

5367. How high did that run?—I could state the exact sums if you would allow me to have my book.

5368. Do you recollect Melrose?—I recollect his name; there were 30, I see by my book; I believe that is the exact number; and the time you are speaking of is the 16th of December; Mr. Petre was then thinking of standing for York.

5369. That was when an election was expected?—Yes, Mr. Petre had written to me to say that he should stand for York.

5370. And your inducement for paying them was because you wanted their assistance?—Yes; and I could not engage their attendance without paying them what was due to them.

5371. They were voters?—Yes; it has been always usual to employ as messengers voters; I do not mean nominal messengers, but real messengers.

5372. You cannot remember the names without your book?—I could remember the names with my book.

5373. When could you let us have the book?—To-morrow morning. No man can conduct an election without keeping a book, and very minutely too.

5374. Do you remember Thomas Braithwaite?—Yes.

5375. In Aldwark?—Yes.

5376. What did you pay him?—I should think I paid him 3 *l.*; I am speaking from recollection, but I can tell the precise sum I paid, and the day I paid it; he was a man that had worked several weeks during the election of 1832, and a very poor man.

5377. Have

5377. Have you those books in which the setting down took place in 1832?—No, I never had them.

5378. Do you know who has them?—I know who has an account of them, but I do not know who has the original setting down; that I only know by inquiries that I have recently made.

5379. Who were employed in setting down in 1832?—Mr. William Smith, jun. and Mr. Barnabas Mitchell.

5380. Did not your clerks assist in that duty?—I believe not; it is possible that they might go into the room, but I am not aware of it. If any person had gone to my office, and wished to be set down, my clerk would, as a matter of course, have taken the name, and it would have been entered in the lists of parties. I believe they were lists, and not books.

5381. Do you know George Harrison, the carrier in Aldwark?—I am not quite certain; I can point out the name if it is wanted.

5382. Cannot you tell us of having paid him in 1832?—It is possible.

5383. Will the book tell you?—Certainly; I should not pay any sum that I did not enter.

5384. You did not keep the account of those who were promised to be paid in the last election of Mr. Petre?—No.

5385. Where is any list of them?—I should say Mr. Barnabas Mitchell is the most likely person to have it.

5386. Would he not bury it 10 fathoms deep when he signed the petition?—A man may complain of improper practices in 1835 when he himself has been guilty of them in 1832.

5387. When he has profited by them?—I am not aware that he did profit.

5388. There is James Shelton, do you know him?—If you are alluding to the men that were paid in December last, I could not tell them by name, but I will produce the books.

5389. Will the book tell all the payments made on account of the election in 1832?—No, I do not know that it will, because my accounts with Mr. Petre were balanced up to last August in a separate book, therefore the book that I am speaking of would be the current account from that time.

5390. Have you not the other book?—I am not quite sure whether I have or not; I have several papers in town, and if I have it you shall see it. I had other transactions with Mr. Petre.

5391. After this setting down in 1832, were none of the people so set down paid?—I believe not one.

5392. How many were set down?—I must give my belief only upon that, about 800.

5393. Do you mean to say that none of those men were paid?—I believe not one; if one was paid he would be one of the special messengers; it is possible that a special messenger would be put down as well as employed.

5394. The special messengers all voted plumpers?—I should think not one of them; there was never anything paid by Mr. Petre but 2 *l.* to a plumper and 1 *l.* to a single vote.

5395. Two pounds for a plumper, and 1 *l.* for a single vote?—Yes; and Mr. Lowther paid 3 *l.*

Re-examined by Mr. Hill.

5396. You have been asked about an election petition which was intended to be presented on the part of Mr. Barclay, and you have said that the 28 days expired; do you recollect or not whether Mr. Barclay returned to London two days before those 28 days expired?—He wrote to me to say so.

5397. Did you make any application to Mr. Oldfield, the postmaster, for a sight of those receipts?—I did.

5398. Did you get a sight of them?—No; he said he doubted whether it was his duty to show them to me or not.

5399. Before you got authority to see them, were the 28 days expired?—Yes.

5400. Did Mr. Oldfield prevent your examining the clerk and the letter-sorters?—Yes; I waited upon him twice or three times, and begged that he would allow me to do so; he said that he was in a delicate situation, that he did not want to act partially on either side, but that he thought that his proper duty would be, to wait till the order came from the postmaster-general.

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5401. In consequence of what Mr. Oldfield said, did you make application to the postmaster-general?—Not direct.

5402. But you took means that he should be applied to?—Yes.

5403. You have already said that Mr. Alderman Oldfield is a Tory or a Conservative?—Yes, we consider him a Tory.

5404. *Committee.*]—Do you agree in the opinion expressed by one of the witnesses, that the city of York is as corrupt as any other town or borough?—I am not acquainted with other boroughs; but York is as corrupt at present as it can be.

5405. Could you safely present a petition before you were in possession of the receipts?—Certainly not; because I should not have known how many votes we could strike off on the other side.

5406. Mr. *Wrangham.*]—What is the danger of presenting a petition?—Not proving it afterwards; you may make a false allegation in it; I could not allege in the petition that there were 600 receipts, till I knew it.

5407. Mr. *Hill.*]—Did Mr. Barkley tell you that he would not present a false petition, or a petition which he could not support?—Yes, certainly; he was most cautious in that.

Martis, 18° *die Augusti*, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *Robert Henry Anderson*, called in; and further Examined by Mr. *Wrangham*, as follows:

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5408. HAVE you brought those books this morning?—I have.

5409. Will you have the kindness to let me look at them?—I should object to that on this ground, that the books contain many confidential matters which were communicated to me by Mr. Petre. I am willing to show those parts of the books which relate to this inquiry, but I should object to the learned counsel having my books to examine in his own possession.

Mr. *Wrangham* submitted that the Witness having consented to be examined upon certain points yesterday, it was too late for him to object.

Mr. *Hill* supported the objection of the Witness.

The *Chairman* stated that he conceived that Mr. Anderson might exercise his discretion as to the production of the books.

5410. Mr. *Wrangham.*]—What account is kept in that book?—In this book I kept my private account with the Honourable Edward Petre.

5411. From what time does it commence?—From 1834, the 14th of August; after the balance had been struck up to that period, the first item is a balance struck between Mr. Petre and me. You asked me yesterday if I had the preceding account; I have it.

5412. Have you it here?—I have.

5413. Have you examined that preceding account since you were here yesterday?—No, I have just looked over it; it is a very long account.

5414. Can you answer, from looking over the account, whether or not a certain portion of those parties whom you set down with the understanding that they were to be paid, have or have not been paid?—I cannot answer that, because I have not the list, and never had the list of those who were set down.

5415. Do you find the payment of 1 *l.* or 2 *l.* to parties?—Not to any that were set down that I know of; but I have not the list.

5416. Payments which you cannot account for but to parties set down?—No, the only payment I have is payment to persons who were actually employed in the election of 1832.

5417. Then have you no items for payment to parties who were set down?—It is possible that the parties whom I have paid, who had given their services, might have been some of them set down by Mr. Mitchell, as I mentioned yesterday; but not having the list of Mr. Mitchell, and never having had it, I have no means of telling you.

5418. Then

5418. Then those payments that are entered in that book, you can take upon yourself to say are not in consideration of the setting down?—Certainly, I can.

5419. How many payments to messengers do you find in that first account in 1832, before the balance?—The sum total paid prior to the Act that I have laid down, for persons who were engaged in the election, amounts to 113 *l.* 8 *s.* 6 *d.*

5420. *Committee.*]—To what election has that reference?—To 1832. I am speaking now of payments made at that time.

5421. Mr. *Wrangham.*]—Is that the whole that was paid previous to August for general purposes?—Yes, it is the account that was made up as well as I could make it.

5422. What has been paid since August?—Since August I have not cast up the sum total; but I should think that there were about 40 persons that were paid besides.

5423. How many in the 113 *l.* previously paid would there be?—I should think there would be about 100; there were about 100 persons engaged actively during the election, and I believe 1 *l.* a piece was paid to them; some of them might get more, but that is as near as I can tell you. I did not pay them myself, but I only have the sum total.

5424. And there were 40 more paid in December?—Yes.

5425. How happened it that they were not paid at the same time with the others?—Because there were no funds.

5426. Were they persons who had not been so active as the others?—They had been quite, and even more active.

5427. Why were not they paid; why was the preference given to those who had been less active?—The 1 *l.* a piece that was paid was considered a payment on account; and as I was not furnished with money at the time to pay them, I did not pay them.

5428. Were you furnished with money in December?—Yes, in December or January.

5429. Before you paid those people?—No, I believe I advanced the money in pursuance of instructions given by Mr. Petre.

5430. Can you tell from that book the names of the parties to whom you paid money in December?—Yes.

5431. I asked you respecting Wand; is he there?—Yes.

5432. Having looked at that memorandum, can you tell as whether that Robert Wand is the cabinet-maker on Barker-hill?—I cannot tell you that with certainty, from my own personal knowledge of him.

5433. Do you recollect him now as being a lame man?—No.

5434. Have you no recollection of him at all?—No; and if you consider the number of persons I had to deal with at that time, you will think it is impossible.

5435. This was in December?—Yes; I had hundreds of freemen call upon me in December.

5436. What did you give Wand?—Two pounds.

5437. Had he had 1 *l.* before?—I am not sure of that; I have not the gross amount, but I should think he would have 1 *l.* before.

5438. That would make 3 *l.*?—Yes.

5439. Thomas Braithwaite, the comb-maker, I asked you about?—I find his name here.

5440. For what sum?—Two pounds. I mentioned 3 *l.* yesterday, but I think that I distinctly stated that I was not sure.

5441. Probably he might have had 1 *l.* before?—Yes, I should think he must have had it.

5442. Have you George Harrison, the carrier, there?—I have.

5443. What did you give him?—Three pounds, on the 1st of December.

5444. Have you John Bridgewater, shoemaker?—I have.

5445. How much?—Three pounds.

5446. Thomas Bridgewater?—Three pounds.

5447. A person by the name of Melrose?—Thomas Melrose; I have it 10 *s.* here.

5448. Did you pay him only 10 *s.*?—I expect I did pay him more, but I do not find his name. I do find his name again; Thomas Melrose 3 *l.* on the 12th of December.

5449. At what period was it that Mr. Petre abandoned the intention of stand-

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ing for York at the last election?—I believe it was on the 16th of December; I am not quite sure, but I believe it was the 16th or 17th.

5450. I believe you had a meeting with him at Tadcaster?—Yes, I had.

5451. That is nine miles from York, on the London road?—Yes.

5452. There were other parties at that meeting, were there not?—There were.

5453. Was not dissatisfaction expressed on the behalf of Mr. Petre's friends with your conduct at that meeting?—I do not exactly understand you.

5454. Was there not an expression of dissatisfaction on the part either of Mr. Petre or some of his friends with respect to your conduct?—None whatever that I recollect; it is the first word that I have ever heard of such a thing; if you will tell me what you mean, I will explain.

5455. Was there a demand made that you should fix the sum due to you at that time?—No.

5456. Was no sum paid?—Yes, there was.

5457. Was not a request made by you to be paid?—I requested to be paid that which I had laid out for him immediately before, and the sums that I have mentioned to you are part of that.

5458. Then was everything perfectly amicable and friendly, and no dissatisfaction expressed?—Perfectly; I parted with Mr. Petre on perfect terms of friendship, and have never had any dispute with him, and I am now on perfectly good terms with him.

5459. You have stated that it was the practice at York to give, ever since you have known it, what are called the guineas?—Yes; not ever since I have known it; there are candidates that have not paid the guineas, but it has been the practice.

5460. And you speak from the knowledge of elections in 1818, in 1820, in 1826, in 1830, and in 1832?—Yes.

5461. You speak from you own knowledge to those, as agent?—Yes.

5462. That is five elections; can you say from your own knowledge, from the facts that have come within your own knowledge, that the guineas have been paid in more than one of those elections?—No, I cannot; I should consider that the guineas would be paid in 1820, and that they were again paid in 1830 by some of the parties.

5463. I am asking you of the party with whom you are connected and of which you can speak from your own knowledge; I think 1820 is the only election?—Yes, 1820 is the only election where I, being personally concerned, have paid the guineas; the question has been mooted several times, but was always overruled by those for whom I was engaged.

5464. So that out of the five elections there is only one of which you can speak positively as to this practice?—As to the guineas.

5465. You said that in 1830 Mr. Petre did not pay the guineas?—He did not.

5466. Did he set down in 1830?—He did set down, and I was going to say he did not set down. You must allow me to explain, if you please. The Honourable Thomas Dundas at that time intimated that a petition would be presented if we did set down, and although there was a setting down in the early part of the election, yet that was abandoned in consequence of that threat, so that although there was a setting down it was never carried into full effect, and no payment was ever made under it except to the persons actually engaged.

5467. But I understood you that Mr. Petre did set down to a certain extent, with an intention of paying the guineas?—With the intention of paying the guineas? No, I think not.

5468. For what purpose?—Originally it was for the purpose of paying, but it being intimated that one party intended to stand on principles of purity, considering the statute that had passed beforehand, we were advised by counsel not to do it, and drew in our horns.

5469. How did the statute affect the payment of the guineas?—I am alluding to those set down; it was not a settled question.

5470. So that this custom has become consolidated in the last year or two?—Yes, as to paying by vote; the setting down intimated that something should be paid.

5471. Did you not tell us yesterday that it was the ancient practice of the city of York to set down, and that the setting down meant that they should have the guineas?—I think I did not; I think I distinguished between the payment of the guineas originally, and the payment of the runners, that the runners were the

persons

persons who were set down, and that afterwards in 1830, as it was found as dangerous to pay the runners as to pay the guineas, that the practice was changed very materially. Mr. R. H. Anderson 18 August 1835.

5472. I ask you whether Mr. Petre, as the setting down was to lead to the payment of the two guineas, when he set down to a certain extent in the election of 1832, did he or did he not set down with the intention of paying the guineas to the parties so set down?—I think not, because I should consider that the guineas were not a payment strictly connected with the setting down, as the practice existed before 1830. I was speaking yesterday of what occurred now. Before 1830, as I understood the practice at York, the persons set down were called runners.

5473. You told the Committee that this was the ancient practice ever since you have known York, and what sums were to be paid under it?—That is consistent with my present statement.

5474. How do you explain? You say that the setting down had nothing to do with the guineas, but with the runners. Yesterday you told the Committee that the setting down was connected with the guineas?—Now, it is because the payment of the guineas without the setting down was direct bribery.

5475. You said the ancient sum?—Yes; the guineas would be the ancient sum; two guineas and one; and though they paid the guineas the men would be set down as runners, and those runners would be paid.

5476. You stated yesterday that it was an ancient practice to keep this book or list for setting down, and that the names of all freemen were taken down; that it has been usual to pay those who were set down; and then you were asked what the sums were, and you say that they have varied, but that the ancient sum was two guineas, and one guinea, and so on; and then you go on to say that the sum has varied within the last two years, and you state the varying sums after 1830?—I do not think that is a correct report of what I said yesterday.

5477. How do you reconcile your statement that the setting down has nothing to do with the guineas, with your statement yesterday that it had to do with the guineas?—I do not believe that I stated that, because in the part you have read I was speaking of the present practice.

5478. Does the word ancient mean present?—I believe it is not there; you will find that statement quite consistent with what I have given now; the question I was asked, as you read it, is, What is meant by setting down? that refers to the present time.

5479. "Until the Reform Act the voting was confined to freemen, was it not?—It was; it has been usual to pay the persons so set down after the election. How much?—The sums have varied within the last few years. What was the ancient sum before they began to vary?—The ancient sum was two guineas for a plumper and one guinea for single votes, and the money at that time was called the guineas; it was known in York by the name of the guineas. You said that this payment was made after the election; was it made a sufficient time after the election to be safe against the petition?—Yes. You have said that the sum has varied within the last few years; will you state the varying sums?—After the election of 1830 the sums paid by the candidates, who paid at all, were, I believe, two sovereigns and one sovereign; that is, two for a plumper, and one sovereign for a split vote?—Yes." You having heard now the note of what you said yesterday read, how do you reconcile that evidence you gave yesterday with the facts that you state to-day, that in 1830 the setting down had nothing to do with the guineas?—I reconcile it in this manner; the guineas were paid separate and distinct from the setting down; anciently the setting down, as I believe I stated yesterday, was a separate thing from the payment of the guineas; the guineas were paid after the election, as head-money, but the setting down was then paid according to the number of days which had expired from the time of setting down to the particular day of the election.

5480. How do you reconcile that answer which you have now given, that the setting down had nothing to do with the guineas and head-money, with the question, "What was the ancient sum before it began to vary?" to which you said, "It was two guineas for a plumper and a guinea for a single vote?"—That was with regard to the guineas.

5481. You were asked what were the sums paid to the parties who were set down, and you said two guineas?—I was alluding to what had last passed across my mind, the guineas.

5482. Is that the explanation you give?—That is a complete one.

 5483. The

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5483. The only one?—There is no other that I know of.

5484. You say then that Mr. Petre in 1830, when he began to set down, and did set down to a certain extent, did not do it in the contemplation of paying the guineas?—At first it would be in the contemplation of paying something.

5485. Was it in consideration of paying 2 *l.* for a plumper and 1 *l.* for a split vote?—Yes.

5486. You say now that Mr. Petre did set down with the intention of paying the guineas?—Of paying something.

5487. You say 2 *l.* for a plumper and 1 *l.* for a single vote?—My idea is that it would have been that sum, but there was a sort of union of the two systems in one in 1830.

5488. Did not Mr. Petre, if he set down at that time, intend to pay the 2 *l.* and the 1 *l.*?—I could not speak as to the precise sum that would have to be paid, there would be something to have to be paid as head-money in one way or the other; it was considered as a sort of pledge that something should be paid.

5489. In point of fact there was nothing paid?—Yes; and it is in consequence of that that I cannot speak with certainty, because as the matter was not completed, I cannot speak with certainty as to the precise sum to be paid.

5490. The next time that Mr. Petre stood was in 1832?—Yes.

5491. He was defeated in 1830?—Yes.

5492. In 1832 he succeeded?—Yes, he did.

5493. So that in 1832 Mr. Petre, who had not paid the head-money, succeeded, and Mr. Bayntun, who had not set down at all in 1830, succeeded with him?—Yes.

5494. You have spoken of what you have heard at different times in the city of York; have you heard of payments made to the Orange voters since the last election in 1835?—I have.

5495. Who were the parties whom you have heard have paid those sums?—I have heard it only very recently; I took the pains to inquire at the time these petitions were in preparation, and I could not gain any positive evidence of it, but I have heard recently that payments were made.

5496. By whom have you heard that payments were made, by Mr. Sheriff Meek?—Yes, I think I might say so; the information that I have is from conversation that I have held with him.

5497. A son of his was a clerk in your office?—Yes.

5498. Was he so at the time you were preparing this petition?—Yes, he is an articled clerk.

5499. Mr. Sheriff Hanson, have you heard of him paying?—No, I do not think I have; I inquired of Mr. Hanson, and I think he declined giving me any information; to the best of my recollection that was at the time we were preparing the petition; subsequently I have had no conversation with him in the city of London.

5500. Have you not heard in London, as general conversation, that Mr. Sheriff Hanson was concerned in paying the voters?—The principal information that I have obtained upon that has been since I came to London; I certainly did hear in York that the payments had been made on the part of the Honourable John Charles Dundas, but the result of that inquiry was that they had been made for services actually done.

5501. You did not happen to hear the number of parties that were paid?—I did not; but I have recently, in collecting information, obtained some little insight into that.

5502. Will you tell us anything that has made an impression and created a belief in your mind?—The result of my examination has been within the last few days sufficient to satisfy me that 300 or 400 persons were paid for their services to Mr. John Charles Dundas.

5503. For services actually performed?—I do not know; that is what the parties stated.

5504. So large a number as 300 or 400 were paid for services in money?—That was what was stated.

5505. Have you heard Alderman Simpson's name mentioned as one of the paymasters?—Yes.

5506. And Mr. Kyle?—Yes.

5507. Mr. Slater have you heard?—I am not quite sure whether I heard of him

him as an actual payer or not; I have heard his name mentioned in connexion with it. Mr. R. H. Anderson. 18 August 1835.

5508. At the time that you were preparing this petition, you took every means in your power to gain information on this matter?—I did.

5509. Did it never occur to you to get information from the younger Meek in your office?—No, I had no idea that he had anything to do with Mr. Dundas in the election.

5510. As the son of Mr. Sheriff Meek?—No, I never thought of doing that; I should have thought it very wrong to have asked one of my clerks as to what his father had been doing; I should have gone to the father if I had gone to any one, and I did go to the father to ask him.

5511. Did the father deny it?—He denied that any money had been paid except to those who were actually employed; that is what he assured me: I went to the principal agent of Mr. Dundas to ask the same thing.

5512. You say you would think it very wrong to get the son to give information about his father; have you never advertised the pecuniary advantages that would arise to informers?—I do not know what you mean.

5513. Have you never published an article in your newspaper published at York, stating the reward which persons who were inclined to give information would have, and that the informers' names would be kept secret?—I should respectfully submit that that is a question which has nothing to do with the present inquiry.

5514. It is what you have published in York?—I should submit to the Chairman that I am not called upon to state what I have published in any newspaper, not bearing upon the present question.

5515. You have stated that you would consider it very wrong to get information from the son against the father; I am asking you whether your indisposition to informers would lead you to that: I ask you whether you have or have not held out rewards to parties to inform, stating at the same time in the article that all communications should be considered as confidential?—The Chairman has heard my objection to be called upon; I object to be led into an examination as to any article that I may have written in any newspaper.

5516. Are you not a part-proprietor, or were you not, of this paper, The Yorkshireman?—Yes.

5517. Being part-proprietor of this paper, were you not the author of this article?—I object to answer, on the ground that I consider that it is not a question which at all bears upon the merits of the case before the Committee; I might be asked upon 50 other articles in the newspaper.

5518. *Committee.*]—Have you any other objection; have you any legal objection to answer the question?—I do not at the present moment know the effect of that article, and I should also put it in this way, that either it was an innocent article, or one that was not innocent; if it was an innocent article, why ask me the question? if it was not innocent, then I may inculpate myself by answering.

[The Committee-room was cleared.

After some time the Counsel and parties were called in, and informed that the Committee were of opinion the question should not be put.

Mr. *Robert Henry Anderson* again called in; and further Examined by Mr. *Wrangham*, as follows:

5519. Have you at any time given any public invitation, I do not specify the mode in which you have done that, to people to come and give you confidential communication as to the bribery committed by the Blue party at York?—No.

5520. You never have?—No.

5521. Have you ever given any public information of the rewards which might follow upon such a course of conduct?—In what way do you mean?

5522. I mean this; have you ever given any public notification at York that persons who should give information of any act of bribery might derive benefit to themselves of 500 *l.* or 1,000 *l.*, as the case might be, with reference to the alleged bribery by the Blues?—No, I have not.

5523. Never in any way?—No.

5524. Have you never been a party to any such notice?—Are you alluding to the paper?

5525. Have ever been a party to any such notice?—(*No answer.*)

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Mr. *Hill* stated that if the question were not followed up, he should advise the Witness to answer the question.

5526. Mr. *Wrangham.*]—Have you ever been a party to any such notice, that persons who could give information of acts of bribery by the Blue party would be entitled to certain rewards, and that their information would be considered confidential?—No, I have not.

5527. In 1830 Mr. Petre was high-sheriff and lord mayor, was he not?—Yes.

5528. As well as a candidate for the representation of the city of York?—Yes; I think at the same time.

5529. Who appointed the county constables at that time?—A certain number would be appointed by Mr. Petre, as high-sheriff; I think an arrangement was made between the county candidates that they should mutually name the constables.

5530. You were not Mr. Petre's under-sheriff, were you?—I was not.

5531. It is usual for the under-sheriff to name that part of the constables which the high-sheriff appoints?—I cannot speak exactly to that.

5532. Who did, in point of fact, recommend those constables that the high-sheriff named?—I believe that I did, as his county-clerk.

5533. Did you do it as his county-clerk, or as his York election-agent?—As his county-clerk.

5534. Have you ever been under-sheriff?—No, I have not.

5535. Being county-clerk, cannot you tell us whether it is the practice for the under-sheriff to name those constables?—I am not aware of that; if you asked me about it, I should say that it was more within the jurisdiction of the county-clerk, they being constables of the county.

5536. Do you recollect the under-sheriff complaining?—I do not recollect his complaining; I do not recollect any dispute between us on that subject.

5537. Who were they that were appointed constables; I suppose they were York men?—I am sure I do not recollect; I should think they would be.

5538. Were they voters for Mr. Petre?—I should think they would be; but it is impossible for me to tell with precision, as I have not my books with me.

5539. That would be the object with which you selected names?—Yes; my opinion is that they would be.

5540. You selected them with that view?—Yes; to the best of my recollection I should say it would be so, but as I have had no opportunity of examining the subject lately, I am not certain, but my impression is that.

5541. You did not in 1830 think it was anything so enormous to appoint the constables out of your own party?—No, I do not think there were many, but I do not recollect the number; my impression is, that there was an arrangement made between the candidates taking the appointment among themselves.

5542. The high-sheriff had some, and those you named as county-clerk, and selected them from the voters for the high-sheriff of the city of York?—Yes, I think I did.

5543. At that time it did not strike you as any enormity, conferring the favor upon voters of your interest?—Just so; having the nomination, the probability is that I should exercise it in that way.

Re-examined by Mr. Hill.

5544. With regard to this practice as to the guineas and setting down, let me see that I understand you clearly upon that. Have I correctly understood you to say, that up to the passing of the 7 & 8 Geo. 4, the setting down was considered to imply that the persons set down would receive two payments, one in the nature of head-money, and another, which was called running-money?—No, that is not what I meant to express. As I understand, the practice in York prior to 1830 of setting down meant that the parties should be paid as runners, at 5 *s.* a day, for a certain number of days; that besides that, totally independent of the setting down, it was usual, after the time had expired for petitioning against a candidate's return, to pay the guineas; then in 1830 an Act having passed making the runners equally bad votes, and in effect making it bribery as much as the payment of the guineas, the practice got amalgamated and mixed up together.

5545. Then the ostensible reason for setting down before the year 1830, was to inform the candidate how many voters he would have to pay running-money to?—Yes.

5546. Did

5546. Did that list also serve as as a guide for the payment of the guineas?—I believe not; the guineas, I believe, were paid to such poor men as thought proper to apply for them by the poll-book.

5547. Who had polled for the candidate paying?—Yes.

5548. Then if I understand you now correctly, the original use of the setting down was altogether gone by after you had begun to act in conformity with the 7 & 8 Geo. 4.?—Yes.

5549. But still the practice of setting down continued?—Yes.

5550. Had the setting down any other use, after you began to act in conformity with 7 & 8 Geo. 4., than to point out those who were to receive the guineas or polling money?—I am not aware of any other use that it could be of; that was my understanding of it.

5551. If I understand you right, the setting down always implied that some payment of some kind or other was to be made to the person set down?—Yes.

5552. And whatever was the ostensible reason for setting down, in point of fact, that money which was afterwards to be received by the person set down was for his vote?—In point of fact it was.

5553. You have told my learned friend that Mr. Petre was defeated in 1830?—Yes.

5554. Though he set down, if I understand you right?—Yes; but I explained that that setting down was withdrawn in the course of the contest.

5555. That was a time when there was a beginning to set down and a retractation?—Yes, in consequence of a threat of a petition.

5556. Was that the election to which the action of Bayntun and Cattle refers?—It was.

5557. My learned friend has asked if you were present at that trial; did it appear at that trial that a sum of between 8,000 *l.* and 9,000 *l.* had been expended by Mr. Bayntun, or for Mr. Bayntun, or was alleged to have been expended by Mr. Bayntun?—A sum to that amount was alleged to have been paid, but I think the sum proved was not so great.

5558. Did Mr. Bayntun's agent, Mr. Cattle, claim credit in respect of the payments made in that election on behalf of Mr. Bayntun to the amount of nearly 9,000*l.*?—Somewhere about that sum; but my recollection is that it was not more than 7,000 *l.* or 8,000 *l.*

5559. It was a large sum?—Yes.

5560. And Mr. Cattle succeeded in that trial in taking payment to that large amount?—Yes.

5561. Had that large expenditure anything to do, in your opinion, with turning out Mr. Petre in 1830?—Certainly.

5562. Do you attribute the failure of Mr. Petre in 1830 to that very large expenditure on behalf of Mr. Bayntun?—Partly so.

5563. And to what other cause?—I do no not consider that Mr. Petre in 1830 was so popular as Mr. Bayntun.

5564. Was any part of Mr. Bayntun's popularity in your opinion resulting from this large expenditure on his behalf?—Certainly.

5565. My learned friend calls your attention to this fact, that Mr. Petre did set down in 1832 and succeeded?—Yes.

5566. I understand it to be, that when he began to set down, but retracted in 1830, he was defeated; but when he went through with setting down in 1832, he was successful?—He was.

5567. Do you attribute any part of that success in 1832 to setting down?—Certainly I do.

5568. You think it had a great effect upon the election?—Yes, as to the success of the Hon. Edward Petre.

5569. My learned friend was asking you as to the conversation between you and Mr. Petre at Tadcaster; in the course of that conversation, was Mr. Petre advised by his friends, that unless he was prepared to expend a very large sum in the purchase of votes, it would be impossible for him to get in?—Yes, he was.

5570. And was it upon that advice that he declined the contest?—It was.

5571. Had Mr. Lowther begun to set down at the time of that conversation at Tadcaster on the 16th of December?—I cannot speak to that as to the date; I do not remember when Mr. Lowther commenced his canvass.

5572. The election would be very early in January; does that bring it to your mind?—My opinion would be that that would be before Mr. Lowther's return; the

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election did not take place in January; the conversation at Tadcaster took place on the 16th of December, therefore it would be improbable that Mr. Lowther would have commenced setting down then.

5573. With regard to Mr. Bayntun in 1832, he did not set down in 1832?—He did not.

5574. And yet he came in?—Yes.

5575. You have already stated to the Committee, that he was popular to an extraordinary degree?—A very extraordinary degree.

5576. Do you think that the great expenditure that was made by him in 1830, had anything to do with that extraordinary popularity?—I think it had; and also the payment of the guineas by him; he paid the guineas in 1830.

5577. Was Mr. Bayntun considered by that class which is usually influenced by the setting down, to have been very much ill-used by his former friends?—Yes, he was.

5578. Did that real or supposed ill-usage serve him very much with a class of freemen which is usually influenced with setting down?—I think it did.

5579. Was an opinion prevalent that some part of the money with which he had been charged, was not actually expended among the freemen, but stopped on its way?—Yes, there was that opinion.

5580. Did that tend to make the party that was opposed to him in the election of 1832, very unpopular?—Yes; that is the Blue party of 1832, the Lowther party.

5581. That section of the Blue party which is opposed to Mr. Bayntun?—Yes; the Lowther party.

5582. They became very unpopular with those freemen, because they supposed that there had been a malversation in Bayntun's funds in 1830?—Yes.

5583. And that they had been deprived of that which Mr. Bayntun intended them to have?—No, I cannot go so far as that; Mr. Bayntun had paid the guineas for the election of 1830, but the committee had not paid the tradesmen's bills; there was a strong feeling against them for not having paid their legal bills first; and there was a strong feeling, that he being a young man, the committee had run him into extravagant expenditure.

5584. Did that opinion, whether right or wrong, produce two effects; first, that it made his opponents who joined Mr. Lowther, very unpopular; and secondly, made him popular, or kept up his popularity to the same extent that it had been before?—It made him very popular indeed.

5585. And made them unpopular?—Yes.

5586. Did I understand you to say that Mr. Oldfield would not permit you to examine any person connected with the post-office?—Yes; he stated to me that he considered it not his duty, and therefore he declined; he also declined giving me any information himself.

5587. With respect to these petitions, you have been asked many questions; I would ask you, is there a considerable body of persons in the city of York who have never mixed themselves up with any corrupt practices at elections; I point your attention to the Society of Friends?—I should say the Society of Friends have not mixed themselves up with any improper practices, as far as my knowledge goes.

5588. Is one of your petitions signed and supported by gentlemen of that persuasion?—It is partly by gentlemen of that persuasion, and by other respectable gentlemen in the town.

5589. Is the first name to the second petition a respectable Quaker, Samuel Tooke?—Yes.

5590. A gentleman standing very high in society?—Yes; I think he was chairman at the annual meeting of the Society of Friends in London.

5591. Are there other gentlemen connected with that society who have signed?—Yes, there are.

5592. Did you tell the Committee where that second petition originated?—It originated with Mr. Tooke, and Mr. Roundtree, and Mr. Clemisha, and several other gentlemen; but they were the principal originators of it, to the best of my knowledge.

5593. Mr. Wrangham has asked you if you had any conversation with Mr. Leman respecting what took place at the committee-room where you paid for the damages. You must, if you please, give us the whole of that conversation: you told us that Mr. Leman was near the place; did or did not Mr. Leman tell you, that

that he had nothing at all to do with any violence which took place at that committee-room?—Yes, he did. Mr. R.H.Anderson.

5594. Was the subject mooted in the public papers at the time?—I believe it was. 18 August 1835.

5595. Do you remember that all those persons came forward to state that Mr. Leman had nothing to do with the violence; do you remember the circumstance?—I think I do; I think I have seen that in the newspaper; but I see so many newspapers and paragraphs, that unless I saw it in the newspaper, I could not say.

5596. Do you know that?—[*A paragraph being shown to the Witness.*]—I believe that is a paragraph that was in one of the York newspapers.

[*The paragraph was delivered in, and read, as follows:*]

We the undersigned do certify, that we were present in Stonegate on the second day of the late election, when a great number of persons endeavoured to obtain admittance to the Punch Bowl public-house, for the purpose of preventing the bribery which was stated to be carried on there by several members of Mr. Lowther's committee. And we do further certify, that at the time when the attack was made upon the Punch Bowl, by breaking open the door, Mr. George Leman was in conversation with several gentleman at the opposite side of the street, and took no part whatever in such attack. Witness our hands this 5th day of January 1833. *Wm. Lockwood,* Pavement; *James Knight,* Mansion-house; *H. Ware, George Smith, E. H. Pomfret, H. M. Pomfret, M. A. Pomfret, Leonard Williamson, Henry Horner, Henry Smith,* all of Stonegate.

5597. Mr. *Hill.*]—Do you know those gentlemen?—I believe I do; I know some of them.

5598. Are they respectable persons?—I do not know Henry Horner; I do not know James Knight; I believe I know the rest.

5599. Are they respectable persons?—Yes, they are.

5600. How long have you held this office of county-clerk?—I have held it during two sheriffalties.

5601. Whose besides Mr. Petre's?—William Constable Maxwell's.

5602. Is it an office like that of under-sheriff, in the gift of the sheriff?—Yes, it is.

5603. Do you fill the office of one of the city commissioners of the paving and lighting of the town of York?—Yes.

5604. Is that an elective body of 10*l.* householders?—Yes.

5605. How long have you been in that office?—I do not recollect the number of years; I think three or four years.

5606. My learned friend asked you a question about hunting for a client; do you recollect having a retainer offered to you by Lord Lowther?—Yes, by one of the Lowthers; I forget whether it was Lord Lowther.

5607. Who offered it you?—Mr. Holt, the barrister; that was immediately after the election of 1830, upon the Reform Bill.

5608. What did the Lowthers wish you to undertake?—They wished me to go as the principal agent into Cockermouth, for the county election for Cumberland.

5609. Did you accept or refuse that retainer?—I refused it.

5610. On the ground of difference of politics?—Yes, decidedly.

Examined by Mr. Wrangham, through the Committee.

5611. Are not all those parties who signed that statement in the newspaper, and whom you know so well, warm partisans at the election at York?—I should say they are not all; to the best of my recollection there is H. Ware, I should think not, but the poll-book will tell better.

5612. In 1830, when Mr. Bayntun's expenses are stated to be so high, did not the out-voters exercise the right of voting?—Certainly they did, and contributed very much to increase the expense.

5613. *Committee.*]—Prior to the Act of 7 & 8 Geo. 4, what was the amount paid as running-money?—Five shillings per day.

5614. For how many days were they employed?—For an uncertain number of days; it depended upon the time at which they were set down, and the time at which the election was concluded.

5615. What was the usual time?—I have known them to vary considerably; the elections at that time might last four or five days.

5616. Were they *bonâ fide* runners?—No, certainly not.

 5617. Was

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5617. Was any one that applied set down, provided he voted for the party?—Yes.

5618. What rule governed the payment of the guineas, subsequent to the election?—As far as I know of the rule, it would be that any poor man having voted might claim the two guineas, or the one guinea, according as he had given a plumper or a single vote.

5619. Do you know what was ordinarily the number of those who so applied?—That would be matter of opinion; but my opinion would be 1,200.

5620. How long do you know that this custom of paying the guineas or of setting down has existed?—Since 1818.

5621. Speaking from general belief in the city?—I have no idea. I should think 40 or 50 years certainly; then they are different sums; the sums have increased gradually; different payments have been made.

5622. Do you know when the payment was changed from half-a-guinea to a guinea?—I cannot speak with certainty, but I understood it was in Sir Mark Sykes's time.

5623. Did the losing candidate generally pay running-money?—Never having been concerned for a losing candidate who paid the running-money, I could not of my own knowledge speak of that, but my impression is that it would be expected at that time, in the early time of the running-money; my impression is that they would expect to be paid.

5624. Did the losing candidate, from general belief, pay the half-guinea or the guinea?—As to general belief, I should say he would; the running-money was considered a claim which the freemen had upon the condidate, inasmuch as there was no Act to prevent it.

5625. The last question went to the guinea or two guineas?—I should say it would be expected; but I speak from general impression.

5626. Did the out-voters receive the running-money as well as the freemen?—No, they did not; they got remuneration by large allowances as to travelling expenses.

5627. Did not Mr. Petre set down to a certain extent in 1830?—Yes.

5628. He did not gain that election?—No.

5629. Was the setting down money paid on that election?—No; I have prepared a short analysis of who paid and who did not in 1830, 1832, and 1835, which is according to the evidence I have given, which will show at one glance.

5630. This practice of setting down as it prevailed at York, and is understood, is used as a means of creating an understanding between the candidate and the voter for money?—Yes; that is the present understanding.

5631. And has been the former understanding?—Yes.

5632. That is the understanding by which the term setting down has gone in York?—Yes.

5633. You say that it is manifest bribery?—No, I do not recollect whether I used those precise words or not; manifest bribery would be the paying it secretly, which would show that it was intended as manifest bribery, and that the parties who received it did not like to avow that they were parties.

5634. It was a means of creating an understanding that they were to receive money?—Yes.

5635. And that was paid for the vote?—Yes; as it has been paid in the last few years, it is so.

5636. Not formerly?—I have distinguished between the guineas and the runners, and prior to the statute it was considered legal to pay them as runners, because they were supposed to have performed a duty, and therefore it took it out of the danger of bribery; but since the statute I have mentioned, it made the runner a bad vote, it deprived him of his vote according to law.

5637. Do you see any real difference between the practice as it prevailed some few years back, and the practice as you describe it now, by which parties have their names put down before an election, in consideration of their vote, and received money afterwards?—Yes, I think I do; that in the present practice the parties are obliged to resort to secresy, or to the poll-book, to pay them, and to wait till after the time of petitioning has expired; whereas, if it had existed according to the old system and according to the Act of Parliament, the parties would have openly paid those runners according to the time they had run.

5638. Have openly paid them after the time of petitioning had expired?—Before.

5639. Were

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5639. Were the parties set down for guineas?—I believe not.

5640. Therefore the difference between the past and present practice is, that one is more secret and the other more open?—Yes, latterly it has been more secret.

5641. But the buying the vote with money was in principle the same?—Yes, I should say it was.

5642. Those money-letters were considered in fulfilment of the promise made by the setting down?—Yes.

5643. And therefore they were in principle the same as those former payments which you have described?—Yes.

5644. What was done in 1835 was the same in principle as those former practices which you have described in York?—Yes; as far as my opinion goes, I should say so.

5645. An old practice in a different shape?—Yes; I should not say that it was the running-money, because if it had been the running-money it would have been the same sum to each person whichever way he voted; but the payment in 1835 being 2 *l.* for a plumper and 1 *l.* for a single vote, showed that it was put to determine the vote and not the quantity of running.

5646. In principle, was there a different system of buying votes with money from what had existed or the same?—In principle, I should say that both systems were virtually buying a vote.

5647. One has as great a tendency to corrupt the town as the other?—I should say so.

5648. And be as disgraceful and as wicked?—Yes.

5649. Did you draw up the first petition?—It would be incorrect if I were to say that I drew it up.

5650. Did you insert those words which describe the system at York to be a wicked and disgraceful system?—I do not know whether I put them in; I approved of them when they were put in.

5651. You made no remonstrance against them?—No.

5652. It did not occur to you that there was great inconsistency in charging that in that manner in which you had been engaged?—I am not a petitioner.

5653. You stated that you were concerned in drawing it up?—Yes.

5654. You made no remonstrance against those words, which charged as wicked and disgraceful the practices in which you had been engaged?—In the manner I have stated in my evidence.

5655. There is a phrase in this petition which calls for punishment upon persons engaged in those practices; did you concur in that application, did you insert those words?—I do not know whether I inserted them, but I procured them.

5656. Did it never occur to you that when you prayed for punishment on others you might be punished yourself?—It did not occur to me.

5657. You might punish others but not be punished yourself?—I had not the slightest feelings of revenge.

5658. Do you mean this Committee to believe that you yourself consider that system as disgraceful and wicked in which you yourself had been for the best part of your life engaged?—I consider that the system pointed out in that petition is properly described there, and that those words properly describe it.

5659. The best part of your life having been expended in that system?—That is not the case. I personally have opposed the system, and wished very much to have it abolished.

5660. You set down for Mr. Petre in 1832?—Yes.

5661. In 1834 you received a communication from Mr. Petre, promising the payment of money you had engaged to be paid?—Yes.

5662. If Mr. Petre had furnished you with cash, should you have paid the voters?—I think I should.

5663. Is not that as disgraceful and wicked as anything that the petitioners complain of in this petition?—I think it would be.

5664. Disgraceful to the parties receiving the money, and to the agent paying it, and to the parties who furnish the money?—I do not know that I should have paid it myself, but I should say at once that it would have been disgraceful to have done it.

5665. As far as Mr. Petre was concerned in this disgraceful conduct, your knowledge of his being concerned is derived from your having been his confidential agent?—Partly so, and partly not.

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5666. As far as it is so, have you had any authority from Mr. Petre to divulge the knowledge which you have derived as his confidential agent?—I asked at the outset, in giving my evidence, whether the Committee considered it wrong that I should do so; the Committee decided that I should tell the truth. I particularly put the question, whether the Committee considered that Mr. Petre was entitled to protection as a client.

5667. Mr. Petre gave you no authority to divulge anything of that which you have communicated?—Except a few names out of the book this morning, I believe I have divulged nothing which I did not know from the notoriety of the town.

5668. You have been drawing a distinction between what you know from the notoriety of the town, and from your own knowledge?—Yes; and I asked at first whether the Committee wished me to state anything that I knew except from the notoriety of the town.

5669. With regard to those men set down, they were called runners, were they?—Are the Committee now speaking as to the setting down in 1832?

5670. In 1832.—I do not know that they were called runners.

5671. Messengers?—I am not aware that any name was given to them at that time.

5672. You say that many persons were set down whose services were not wanted on the occasion of the election?—Yes.

5673. On the occasion of the election, would not the services of a great many persons be wanted?—Yes.

5674. Could you well tell before the election commenced how many would be required?—Yes.

5675. When party-spirit ran high in York, would it be necessary for a candidate or his committee to be occasionally protected by a considerable body of persons, to secure them from insult in canvassing?—If he was a very unpopular candidate he might stand in need of more assistance, and would stand in need of more assistance than if he were a popular one.

5676. And unless he had such assistance at his call, he might stand a chance of being very roughly handled?—Yes, he might.

5677. Therefore, looking at the probability of such a state of things, the natural consequence would be, that committees would put down a greater number of men than might be wanted?—Yes, a contingency of that sort might happen, but the setting down is a general putting down.

5678. In the matter of an election, would you be very particular in putting down a few too many for your services, as runners, or messengers, or body-guardsmen, that you might apply to if you wanted them?—If you put down messengers that were to act in the duty, you would be very particular whom you employed, because a great deal depends upon the sort of persons you have.

5679. You would not be very particular in taking on a few more than you might possibly want?—I should certainly be more inclined to take too many than too few.

5680. During the course of an election at York, as it has always been conducted, those voters of a humbler class, has their time been a good deal occupied in the business or the amusement or the bustle of an election?—Yes, I think it is; they are taken off their business.

5681. They are taken a good deal from their business?—Yes.

5682. And is it considered desirable by the candidate and his committee that his voters should be present at his speeches and on the canvass?—Yes.

5683. And that state of things exists from the commencement of the canvass to the election?—Yes.

5684. And that loses them a great deal of time?—It must, if they attend to all the speeches of the candidates.

5685. And it is considered desirable by the candidate and the committee that they should attend?—The candidate of course prefers a numerous attendance.

5686. When the election is over, then, as you describe it, the candidate would be the only person that would gain except the agent; he would gain a seat in Parliament, and his voters would go home to their families in a more destitute condition than they were before?—Yes.

5687. You yourself have lost your time, but you send a bill in?—I have lost my time, and never sent in a bill.

5688. Is that your usual mode?—The usual mode of course is that I should be paid.

5689. And

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5689. And paid rather handsomer on that occasion than on any other?—I should say quite the reverse, as far as I am individually concerned.

5690. Being so paid for your services professionally, would the hope of employment induce you to give your support and your vote in York to a candidate holding different opinions from your own?—Certainly not, as I have mentioned. I once had an offer made from a Tory candidate, and I refused it on those grounds.

5691. Do you think, with respect to those persons that you describe as spending their time in the business of the election and receiving 5 *s.* a day, that 5 *s.* a day would rather induce those persons to vote for a candidate whose political principles they disapprove, than the hope of employment would do with respect to yourself?—What has occurred here is proof of that fact, I think.

5692. You mean what has been stated in this Committee?—Yes.

5693. As far as your own experience has gone, would the voters of York turn round and abandon their political opinions on account of the hope of getting this 5 *s.* a day?—Yes; I have no hesitation in saying that there are a great proportion of the voters of York who would vote for the man who would pay the best.

5694. You have described the very high bidding for the service of any of those men; is 3 *l.* the highest sum that has been paid to them?—Yes, except the special messengers.

5695. Who are giving their real services?—Yes.

5696. Those who gave their idle time and were to be ready when wanted, and perhaps were not wanted, to receive 3 *l.*?—In 1832 it has been proved that the plumpers received 3 *l.*, and single votes 1 *l.*

5697. Do you think that a person of different political opinions, by paying 4 *l.*, would have turned round the voters?—Certainly.

5698. Did not some of the persons who were set down for Mr. Lowther pass over to Mr. Petre?—Yes; the only way I know it with certainty is from the agent of Mr. Lowther, Mr. Leadley, who has proved that they did.

5699. Would that be an instance of a person giving up his political principles for a better chance of being paid?—There can be no question that it was the setting down by Mr. Petre that induced them to leave.

5700. Would they have lost more time if they had staid with Mr. Lowther?—No.

5701. Do you believe that any honest man has the least doubt what the object of setting down in York was?—No.

5702. Do you think if it was attempted to be proved in York that the setting down money was for honest services, it would be treated with ridicule?—With perfect contempt by every respectable man in the city.

5703. You have said that in 1832 there was a discussion by the committee of Mr. Petre as to setting down, and you were against it, but the majority continued it?—Yes.

5704. Was not the practice of setting down considered to be a tacit contract to pay so much after the election?—Yes.

5705. Did those voters who were set down make application to be paid after the election in 1832?—Yes.

5706. You understood the setting down as being a tacit contract for the payment of money after the votes should be given?—Yes, and they blamed me very much for not obtaining their money afterwards.

5707. Did the language which they held imply that in their minds the contract made with him had been violated?—Yes; their language was that Mr. Petre had deceived them, that he had not kept his contract; and that was the general conversation in the town.

5708. In that case no other promise had been made to them except what is implied in the fact of their being set down?—I am not aware of any other promise.

5709. Do you recollect what sum Mr. Bayntun paid in 1830 as guineas?—It was proved on the trial that the sum total amounted to one thousand odd pounds, but I think it was 2 *l.* for a plumper and 1 *l.* for a single vote, but the sum total was a thousand and odd pounds; and on that trial, upon which I have been examined, it was stated they were Christmas-boxes, which term was given to it to conceal what it really was.

5710. Have you ever heard agents or partisans on the Blue side speak about this practice of setting down?—Yes, many times.

5711. Did they consider it in the same light as that in which you now consider it,

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it, that is, as an understanding that money would be paid to those who were set down after the election?—Certainly; I heard Mr. George Hudson, who has been examined here, state that it was a great shame that Mr. Petre should promise and should not pay; and the comparison which he made between the parties was, that Petre had promised and not paid, and that they had kept their promise, and throwing a great deal of contumely on Mr. Petre for not keeping his promise; and that was the general feeling throughout the whole of the freemen in York.

5712. In both cases the promise made consisted in the fact of setting down the voters' names?—Just so.

5713. Was there anything confidential in your communication from Mr. Petre about setting down?—I do not know that there was anything particular.

5714. You objected to the setting down in 1832?—I did.

5715. Supposing that Mr. Petre's money had arrived, and Mr. Petre had been the candidate again, should you have acted as his agent?—Yes.

5716. Should you have commenced the business of setting down?—I think I should not; but it is impossible to say, for the case did not occur.

5717. You have told the Committee that he would have no chance of succeeding without setting down?—Yes, I did.

5718. Then you would advise him either to abandon or set down?—I did advise him to abandon.

5719. He sent you no money?—No.

5720. Would you if he sent money pay it?—No, I should not.

5721. Has there been any change of opinion since the passing of the Reform Bill with respect to this practice?—There is now a general feeling against it amongst all the respectable people; there are some few partisans who do not feel it, but the great proportion of respectable people are desirous that it may be put an end to.

5722. Is there a general impression that it is more possible to put it down than it used to be, owing to the constitution of the House of Commons?—Yes.

5723. When did the Reform Bill pass?—1831.

5724. Did not the election take place subsequently, in which all the parties set down?—No; Mr. Bayntun did not.

5725. Then it appears that this difference of opinion was not immediately consequent upon the passing of the Reform Bill?—No; I think that the principal reason has arisen since the secret practice of 1835, last April, because the general feeling has been since, that if such a system was allowed, bribery of that kind could be carried on to any extent without being detected. I think it was that system, and the fact of the receipts being taken, which made the fact without a doubt as to the identity of parties, which determined most of the gentlemen to take the case up.

5726. The objection that is felt to the secrecy of the practice does not in your opinion affect its turpitude, but gives impunity to the practice?—Yes, I should say so.

5727. And therefore is more dangerous, but not less wicked?—Yes.

5728. Do you think that the inquiries respecting Warwick and Stafford have had any influence at York in putting down the bribery?—No; I should say it had not.

5729. How do you connect the Reform Bill with bribery at York, either in making it more or less easy?—I have never connected the Reform Bill with it.

5730. In 1832 there was no setting down on the part of Mr. Bayntun?—No.

5731. Did he not positively declare that he would neither set down nor make any positive payment?—He did.

5732. In the same year there was setting down on the part of Mr. Lowther?—Yes.

5733. And he polled a great many less votes than Mr. Bayntun in that year?—Yes.

5734. Do you think that that is a proof that those poor men acted on better motives than you attribute to them?—Yes, they did.

5735. Had not Mr. Bayntun been almost ruined by the payment of the two guineas?—No, that had not ruined him; his principal expenses were the expenses of out-voters.

5736. Those were legal expenses?—Yes; what were considered legal expenses at that time.

5737. It was not for gratitude for former services, that he got that number of votes in 1832?—No, I should say that it was not.

5738. Because

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5738. Because his principles were approved of generally?—Yes, and he was a great favourite.

5739. Before the passing of the Act of the 7 & 8 Geo. 4, what was the day on which the setting down took place?—There was no particular day; I believe the general practice was that the candidate should commence setting down at the time of commencing his canvass.

5740. You have stated the payment of 5 *s.* a day commenced from the day of setting down?—Yes.

5741. Was there no sort of rule on the subject?—There was no definite rule that I am aware of.

5742. What was the number of days they were generally paid?—Sometimes one number and sometimes another.

5743. What was the highest and the lowest that you have heard of?—I think I remember as high as 3 *l.* 15 *s.*

5744. Was the running-money paid without concealment?—Yes, it was paid at the hotel of the candidate.

5745. Were the guineas paid without concealment?—Yes, in the same way; when I say publicly, the committee were present or its principal members, and the voters came in and received the money by the poll-book.

5746. And the voters had no sense of disgrace attaching to the receipt of such payment?—No, I cannot say that they had.

5747. Are voters now employed as messengers or runners?—Yes.

5748. Are they engaged before they have voted or afterwards?—Before.

5749. And paid?—They are paid afterwards.

5750. Have you never heard of any person above the poor class taking this money, the guineas?—There have been some instances of persons that were considered above that class that took it.

5751. Would it be avowed?—It would be considered as shabby for any such man to do it.

5752. It would be considered a shabby rather than an immoral act?—Yes.

5753. Did you not hear from Shepherd that seven or eight letters had been delivered to farmers and householders?—Yes, but those were parcels sent anonymously in 1835. The case put before was of freemen going up to receive their guineas.

5754. Do not you see a distinction between parties to whom money was sent anonymously, and parties who applied for it and took it?—Yes; there is this distinction, that it is possible that the two sovereigns enclosed in the letter sent to Clifton might have been sent to parties who did not wish to receive the two sovereigns.

5755. Did you hear such persons going about saying that they expected the receipt of those letters?—No, I cannot say that I saw any; the first intimation I received was from Shepherd's evidence as to the respectability of the parties.

5756. Did you hear of any voters returning the money?—No.

5757. Did you ever hear any instance of their applying it to charity?—No.

5758. What was the qualification for voting at York before the Reform Bill?—Freedom.

5759. How many of the old voters are still remaining in York?—I should say about 2,000 out of the constituency of 2,600.

5760. There are only 600 10*l.* householders?—No; but a great number of 10*l.* householders are freemen, and by the Reform Bill those who are freemen are entered as freemen, those who are householders and not freemen are registered as householders.

5761. Are not freemen householders entered as both?—No, I believe not.

5762. If it should appear that a large number of freemen had been guilty of acts to which you have referred at the last election, the Committee must not infer that because they stand as freemen in the poll-book they are freemen only, but they may be householders also?—Yes, and I could not ascertain that without positive examination of the town.

5763. Is there any record by which the Committee could distinguish between those freemen who are also 10*l.* householders, and those who are not?—I am not aware of any.

5764. Are the freemen of York the poor class generally?—I should say that 1,200 of them are very poor.

5765. What are they employed in chiefly?—As labourers and porters, and every thing

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thing in the lower order of trade; there is no particular manufacture in York that occupies any very great body.

5766. Can you give any idea of the number of 10 *l.* householders who are included in the list of freemen?—No, I could give none that could be relied upon.

5767. Are there no means of arriving at that knowledge?—Yes, there are.

5768. What means?—Under the city commissioners a rate is laid upon rack-rent throughout the town, and therefore a comparison of that book with the freemen's list would as nearly ascertain it as possible.

5769. Where is that book?—At York.

5770. In whose custody?—In the custody of Mr. Oates.

5771. What is he, a clerk of the commissioners?—Under clerk; if the committee were to summon any one, I should say that James Russell would be the person.

5772. Are the freemen entitled to vote if they have not paid up the whole of their rates?—Yes.

5773. But if they were 10 *l.* householders, and had not paid up their rates, they would not be entitled to vote?—No.

5774. Therefore there may be many 10 *l.* householders who would not be entitled to vote?—Yes.

5775. Therefore from the rate-book you could not actually ascertain the number of 10 *l.* householders who had a right to vote?—No.

5776. You said that the payment was made formerly in a very public manner, immediately after the election took place?—Yes, to runners it was considered a legal proceeding; but the guineas were not paid till the 28 days had expired; it was head-money.

5777. In point of fact that was always kept just as secret as this last of bribery?—It was paid openly, but after the time.

[The Witness withdrew.

Mr. *Thomas Watkinson*, called in; and Examined by Mr. *Hill*, as follows:

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5778. ARE you a merchant of York?—Yes.

5779. Are you a member of the common council of the corporation?—Yes.

5780. And one of the commissioners, are you?—Yes.

5781. And one of the market trustees of York?—Yes.

5782. Have you lived in York for a great number of years?—Many years.

5783. Have you taken part in the elections of York?—Yes, I have.

5784. Are you pretty well acquainted with the election proceedings for a great number of years back?—Yes, I am.

5785. Were you the chairman of Mr. Barkley's committee at the last election?—Yes, I was.

5786. Did Mr. Barkley and his friends set down, or offer, directly or indirectly, any inducement in the way of money or drink to the voters to vote for him, Mr. Barkley?—Not to my knowledge; I believe they did not.

5787. What were the principles you proceeded upon in your committee and the party; were they principles of purity, or to get votes for money?—

[The Witness withdrew.

Mr. *Wrangham* objected to this mode of examination, as irrelevant to the object of the Committee.

Mr. *Hill* contended that the evidence was admissible.

The *Chairman* suggested that it should not be pursued.

Mr. *Thomas Watkinson*, again called in; and further Examined by Mr. *Hill*, as follows:

5788. Are you one of the petitioners?—I am, to the second petition.

5789. Did persons, voters, apply to you to be set down at the last election?—There were several applications made previous to the election, from the fore part of the week, from the Monday to the Thursday.

5790. To be set down?—Yes.

5791. Did you refuse to set them down?—Yes.

5792. Did you tell them why you refused?—Yes; because Mr. Barkley offered upon the principles of purity of election.

5793. You told them that?—Yes.

5794. Did

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5794. Did that create a disappointment in the lower classes of voters, that they were not set down?—I cannot say that it did.

5795. Do you think that Mr. Lowther's setting down had anything to do with his defeating Mr. Barkley at that election?—Yes.

5796. Is the meaning of setting down pretty well understood at York?—Yes, perfectly understood.

5797. Do you think that there is anybody in the place who knows anything of election matters, who does not know that setting down means that the voter is afterwards to receive money?—It is perfectly understood.

5798. Were the parties in York, the Blues, the Oranges, and the light Blues; were there three?—There were the Tories, the Whigs, and the Liberals.

5799. Were there those colours?—Mr. Barkley had no colours.

5800. Was there a flag, so as to mark what the colour was of Mr. Barkley's party?—There was a small flag.

5801. Was it a light blue?—Yes.

5802. So that there were three distinct parties in the town?—Yes.

5803. Can you tell the Committee, how it was that Mr. Barkley had no plumpers?—Because Mr. Barkley recommended his friends to split their votes with Mr. Dundas.

5804. Did you sign the first petition?—No.

5805. Why did you not sign it; was it offered you for signature?—Yes.

5806. Why did you not sign it?—Because the first petition applied only to Mr. Lowther, and I objected to it on that ground, as I knew that both the Whigs and Tories had been in the habit of setting down freemen, and as it was not general, I did not choose to sign it.

5807. You signed the petition with a prayer in general terms, and not applying to any party in particular?—Yes.

5808. Have you looked over the names to the first petition, that which you did not sign?—No, I have not.

5809. Just look at the names; just cast your eye over the names—[*the Witness inspected the petition*]; are you acquainted with most of them?—I know many of them.

5810. Do you know the greater number of them?—Yes.

5811. Are they respectable persons?—Yes; here are men of both information and respectability; Mr. Hinks, and many of them are men of great respectability.

5812. Is it generally a respectably-signed petition, persons of station and good conduct in the town?—Take it altogether, it is.

5813. Have you had conversation with many of the petitioners to the second petition?—I have.

5814. You have lately come up to town?—I have been here upwards of a week.

5815. Have you heard of any persons regretting that they had signed the petition?—I have not.

5816. Have you heard many persons regret that they had no opportunity to sign the petition?—I have.

5817. Persons of respectability in York?—Yes.

5818. Would it have been easy to get the petition more numerously signed if it had been taken round?—Yes, much more numerously.

Cross-examined by Mr. Wrangham.

5819. Was it not taken round?—I do not know; I was not in York at the time the petition was drawn up, and I was the last that signed it but two, and I did not see the petition till I signed it.

5820. The first petition?—I do not know anything about that.

5821. You were asked to sign it, and refused?—Yes.

5822. You were in York, then, when that was going on?—Yes.

5823. Was it not taken about?—No.

5824. Was it brought to you?—No; it was laid in the reading-room, and I was requested there to sign it.

5825. You were canvassed to sign it?—No; I was not canvassed.

5826. You were asked?—I was asked.

5827. You were stopped by my learned friend when you were going to describe what the parties in York were; you said they were Tories, and Whigs, and Radicals?—No, the Liberals.

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5828. Are not the Whigs Liberals?—We designated them in York as Whigs.

5829. You understand the difference in York between the Whig and the Liberal?—I think we do.

5830. There being these three distinct parties, and three candidates at the last election, by which of the three parties were the different candidates supported?—Mr. Lowther was supported by the Tory party, Mr. Dundas by the Whig party, and Mr. Barkley by the Liberal party.

5831. The Whigs and Liberals have differences of opinion upon political subjects?—It is seldom that they agree as to the candidates at the election.

5832. Are there not differences of opinion upon politics between the Whig party and the Liberal party?—Yes.

5833. The Liberal party supported Mr. Barkley?—Yes.

5834. You are one of them?—Yes.

5835. Did you not understand the difference between the politics of Mr. Dundas and those of Mr. Barkley?—Mr. Dundas went further than his brother; Mr. Barkley and Mr. Dundas came nearer together than we ever had two candidates on the liberal side in York, and therefore the Liberals and Whigs supported Mr. Barkley and Mr. Dundas pretty generally; they divided the votes.

5836. Is it not the fact that the Liberals supported Mr. Barkley, and the Whigs Mr. Dundas?—Yes, but they split their votes; some of the Whigs split for Mr. Lowther.

5837. You say that Mr. Barkley told all his friends to split with Mr. Dundas?—Yes.

5838. Speaking candidly, what do you think the amount of Mr. Barkley's votes might be, independently of those which he got from the friends of Mr. Dundas?—I cannot speak to that; I can only speak to the promises to Mr. Barkley up to the week of the election.

5839. Those might be promises of split votes from Mr. Dundas's friends?—I do not know that; when Mr. Barkley canvassed he canvassed as for himself.

5840. What were they?—They were upwards of a thousand.

5841. Did you canvass with him all the time?—No.

5842. You must be aware that warm friends are in the habit of setting a man down as a promise, who has not distinctly promised his vote. You are a good deal employed in elections?—Very little.

5843. From your acquaintance with elections, have you any doubt that persons are pleased with bringing in a string of promises, and are not strict enough in the certainty of the promises?—I do not think that they are so in York; where they are not certain, they put them under the term doubtful.

5844. Then Mr. Barkley telling his friends to split for Mr. Dundas, do you think that gave Mr. Dundas the benefit of 1,000 votes?—No, because the canvass was completed before the books for setting down were opened, and when they began to set down there were many hundreds began to set down who had been entered upon the canvass books of the different candidates.

5845. Do you know how many Mr. Barkley polled?—Upwards of 900.

5846. Then there was not any great difference between his polling and his promises, 10 per cent.?—I said upwards of 1,000 promises, I did not attend with any nicety to the amount; but there were many that voted for Mr. Dundas that split for Mr. Lowther.

5847. Can you tell us from your knowledge on the subject, how many votes were gained by Mr. Barkley to Mr. Dundas, and how many were received in exchange from Mr. Dundas?—I cannot tell.

5848. So that the Tory party, as you call them in York, that is to say, the Lowther party, were opposed to the united strength of the two other parties, Whigs and Liberals?—Yes.

5849. You talk about light Blue; can you take upon yourself to say that Mr. Barkley did not very often have Orange cards?—I do not recollect seeing any.

5850. You would have something to do with the cards?—I never saw any in the room, there were none to my knowledge.

5851. Did you see some cards?—I cannot say whether I did or did not; if they had any they would have been printed by the printer in York, and would have been sold to the persons calling at the shop; there were none in the committee-room.

5852. How do you speak to colours?—From the colour that was put on the room window.

5853. That was not thought a tresspass upon the purity of election, to have a colour out of the window?—I believe it was not by the citizens of York.

5854. Have

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5854. Have you ever been engaged in other elections at York?—Yes.

5855. Taking your mind back to 1830, when Mr. Petre was a candidate, were you not active in his behalf?—I was.

5856. Do you remember who was the paymaster in that election?—I was not.

5857. Do you remember who paid the out-voters?—Yes; I know who paid them, I was on the committee, but I did not pay them, and never had any money.

5858. Who paid them?—Mr. Seymour.

5859. The gentleman who was here?—Yes.

5860. Do you remember a meeting between yourself and Mr. Sheriff Gregory, he on the part of Mr. Dundas, in the house in Blake-street?—Yes.

5861. Was not that for the purpose of paying out-voters?—We met in a room, and the out-voters came to this room, and there we gave them their billets to the different public-houses in which they were to stay in York; after they polled they came there, and we paid their expenses home again, and paid their bills at the public-house.

5862. Was I wrong in asking you the question, whether you had paid the out-voters?—I did not pay them myself, Mr. Seymour paid them.

5863. Mr. Gregory and you settled what was to be paid?—Yes.

5864. What did you pay the out-voters?—According to the distance which they came.

5865. How much did you pay a voter coming from Hull, for instance?—I really cannot say now, as I kept no memorandums; I never had any memorandums.

5866. Will you tell what you paid, as nearly as you can, an out-voter who lived 40 miles from York?—We should pay him coach-fare, and a calculation for guards and coachmen, and the expenses on the road.

5867. Did you not pay more than his actual expenses?—Not to my knowledge.

5868. You did not pay a round sum of 5 *l.* or 6 *l*?—No, not to my knowledge.

5869. Was that not part of your arrangement?—No, we never made any arrangement what we should pay.

5870. How have you generally voted?—Always on the Liberal side.

5871. That is for the two?—Yes.

5872. So that your disinclination to the practices going on by Whigs as well as Tories, did not prevent you voting for the Whig party?—No, because the Whig party were driven to it by the Tories.

5873. Or *vice versâ?*—No.

5874. The Tories were the beginning of all this mischief; do you take upon yourself to say that, when we have it in evidence that this practice has existed for 50 years?—The Whigs did not begin to put down the men till the Tories had commenced.

5875. Was not this in existence during your whole life?—No.

5876. When did it begin?—At Sir Mark Sykes's election, I think, or after that.

5877. When was that?—I cannot speak to the year.

5878. Then any witnesses that have told us that the practice has existed for 50 years of paying the guineas or half-guineas, have told us what is not correct?—No, they did not set down in the manner they do now; they did pay it, but they did not set down in the way they do now.

5879. Then it was always understood that they would pay the guineas to those who voted for them?—I think prior to Sir Mark Sykes's election it was half-a-guinea.

5880. Was that called head-money?—Chair-money, I think.

5881. In point of fact, the money had been paid under whatever name previous to Sir Mark Sykes's election, only they did not set down?—I think not.

5882. That was paid to those whose names appeared upon the poll-book as voting for the candidate who paid them?—I believe it was paid a certain time after the election to those who went to the committee-room, and they looked at the poll-book and paid them.

5883. It was paid from the poll-book, and not from a separate book kept by the committee?—It was paid, I believe, from the canvass or the poll-book.

5884. But it was perfectly understood that they would be paid whether their names were put in a book of one size or another?—I cannot say what was understood.

5885. You cannot tell what the understanding was?—I know that it was paid; but I cannot at such a distant period go into the particulars of that day.

5886. You have stated that there is one of the respectable people who signed that

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that petition, of the name of Mr. Hinks; he is a dissenting clergyman, is he not?—Yes.

5887. Do you recollect his having figured lately in a proceeding before the Vice-chancellor?—I do.

5888. Do you recollect the opinion that his Honour the Vice-chancellor expressed of Mr. Hinks?—I submit whether I am to answer that question?

5889. Mr. *Hill.*]—Answer it by all means.—The opinion of the Vice-chancellor upon that occasion was not upon his private character, but upon the perversion of the Scriptures.

5890. Mr. *Wrangham.*]—Did not the Vice-chancellor say of his evidence, that it was prevaricating?—I do not know; I only know as to his construction of different parts of the Scriptures.

5891. Mr. *Hill.*]—Were you present before the Vice-chancellor?—No.

5892. Mr. *Wrangham.*]—Tell the Committee candidly, was not the language of the Vice-chancellor extremely unfavourable, as applied to Mr. Hinks, the dissenting clergyman?—I believe it was; and I believe Mr. Hinks, immediately after that, published a pamphlet in justification of his conduct.

5893. Tell us, as near as you can recollect, what the Vice-chancellor said?—I cannot. I can answer this question, that I know Mr. Hinks to be an Unitarian minister.

5894. *Committee.*]—Do you know the newspaper where the remark by the Vice-chancellor is reported?—I do not know.

5895. Mr. *Wrangham.*]—Did you see it?—I saw the report in the newspaper and in pamphlets, but I do not recollect the particular words, at this time.

5896. Except that the language of the Vice-chancellor was derogatory to Mr. Hinks?—There were reflections upon Mr. Hinks's answer.

5897. I will put one question, which I hope you will answer fairly; do you mean to tell the Committee, that supposing there had been no setting down at all in the last election, Mr. Barkley, a stranger in York, would have succeeded instead of Mr. Lowther, who was well known in the county?—Previous to the setting down, I do not remember three candidates standing upon so equal a footing in the city of York.

5898. That is to say, you could partly know the amount of promises for Mr. Barkley; how do you ascertain the promises for Mr. Lowther?—I cannot ascertain it for Mr. Lowther, but I heard the opinion of the Whigs upon their canvass.

5899. But how did you hear the opinion of Mr. Lowther?—I got at it by the numbers of voters that were in the city of York.

5900. You never heard of such a thing as a man giving hopes to three candidates, that he might not be against them?—I have heard of that.

5901. I ask you whether you can take upon yourself to form a judgment of the number of promises that might be upon Mr. Lowther's books at the time?—I can give you no better opinion than I have done.

5902. Did I understand you that the Whigs and Mr. Barkley's party were united upon this occasion?—Very much so.

5903. A very friendly feeling existed between the two?—There was.

5904. They praised each other in public?—I believe the different candidates did.

5905. No such language was used on the part of Mr. Barkley, as "the stupid old Whigs?"—Yes, I have heard it used.

5906. Was that part of the friendly language?—It did not apply to Mr. Dundas.

5907. But to the Whig party?—A few.

Re-examined by Mr. Hill.

5908. The few that voted for Lowther, perhaps?—Yes, that split for Lowther.

5909. You mentioned Mr. Hinks as a respectable man?—Yes.

5910. Are you of his persuasion?—I am not.

5911. What persuasion are you?—I am a member of an Independent congregation, and he is the minister of an Unitarian congregation.

5912. I believe you are diametrically opposed in opinion?—Yes.

5913. You have known him to be a respectable man?—I have never known anything against him, except in his religious opinions.

5914. But you do not judge of a man's moral conduct, and his respectability in society, by the particular tenets which he may hold?—No.

5915. You

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5915. You have said, that before Mr. Lowther began to set down, the three candidates stood on equal terms?—That was my opinion.

5916. The best opinion that you could form from your experience in elections?—Yes.

5917. What was the consequence of Mr. Lowther setting down?—The day he set down his election was sure.

5918. In your opinion?—Yes; I communicated that to Mr. Barkley.

5919. Did it have a very considerable effect upon the lower class of freemen?—Yes, they immediately applied, and got set down.

5920. Then I will just ask you, in your opinion, as long as this practice of setting down, coupled with after-payments, continues, can there be freedom of election in the city of York?—There cannot.

5921. Do yo believe, from your long acquaintance with the voters, that they will surrender their political opinions for the advantage of being set down, and being paid in consequence of being set down?—They will; as a proof of it, a great number that were set down last time, at former elections had supported the Whig interest.

5922. From conversation among the voters, do you know that to be the case, that they do constantly sacrifice their political opinions to the profit of being set down?—A great many; there are some few exceptions.

Examined by the Committee.

5923. You stated that the setting down began in Sir Mark Sykes's election?—Yes, I believe about that time.

5924. Do you suppose the payment existed before that?—Yes.

5925. Then you mean, the setting down to receive 5*s.* a day till the election?—No; in some cases 5*s.* a day is paid, but if they are employed, they still expect to be paid in a certain time after the members take their seats in Parliament.

5926. You stated that Mr. Lowther's beginning to set down had a considerable effect in withdrawing persons who had promised Mr. Barkley beforehand?—I believe it had.

5927. Was it uncertain, up to the particular moment, whether Mr. Lowther would set down or not?—It was, at least as far as I know; and I was of opinion, up to a certain time, that that practice was going to be given up.

5928. What ground had you for forming that opinion?—Because I had not heard it mentioned that the books would be opened, which is the name it goes by in York.

5929. Do you recollect any particular persons who, having promised Mr. Barkley, were induced, by Mr. Lowther opening his books, to go and offer their names at the committee-room?—I could not do that without I was to refer to his canvass-books.

5930. Had you, up to that period, a registered list of promises given to Mr. Barkley?—Yes.

5931. And persons whose names were recorded for Mr. Barkley afterwards went and set down their names for Mr. Lowther?—Yes, a great many who were on Mr. Barkley's canvass-book on the first day voted for Mr. Lowther.

5932. Some persons whose names had been recorded on Mr. Barkley's book left him?—Yes.

5933. Was it on the first canvass that 1,000 votes were promised Mr. Barkley?—Yes, I believe it was.

5934. Did you find that the greater number of them kept their promises?—No.

5935. Did you have support afterwards?—Yes, we had support from Mr. Dundas; Mr. Barkley being a stranger in York, a great number of them kept their promises, who afterwards polled for Mr. Barkley.

5936. How many of those who promised in the first instance kept their promises?—I cannot say.

5937. Four hundred or 500?—More than that.

5938. Six hundred?—I think more than that.

5939. Did you canvass yourself on that first canvass?—I did not.

5940. Then you cannot speak with any certainty as to the care with which those promises were set down?—No, I cannot from observation; only by the return that was made in the evening, and the inquiries of the canvassers.

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5941. You cannot tell the Committee how many of those persons that you considered as promises did in fact never make a positive promise?—No.

5942. Are you more opposed to Mr. Lowther in political principles than to Mr. Dundas?—Yes.

5943. Then you would consider it desirable that a third candidate should be brought forward on the Whig or Liberal principle?—I cannot say that.

5944. If you are more opposed to Mr. Lowther's political principles than to Mr. Dundas's, you would consider it desirable that there should be three Liberal candidates?—If there is a majority of that opinion in the place of unbought votes.

5945. Would you not, holding the political opinions that you do, think it desirable to bring a candidate forward that went in opposition to Mr. Lowther?—Yes, if there was a majority in opposition to his principles; if there were not, I should not.

5946. Did you give encouragement to Mr. Barkley to come forward in York?—No, not till Mr. Barkley appeared in York.

5947. Then you gave him all the support you could?—Yes.

5948. And informed him of your opinion, that he had a chance of success?—I did not express any opinion, because I was aware if the old practice was continued, he had very little chance.

5949. You communicated the opinion, that the candidates were on pretty equal terms, to induce him to persevere?—Yes.

5950. You finding Mr. Barkley unsuccessful in his election, ascribed his want of success to the circumstance of Mr. Lowther setting down?—Yes.

5951. How do you explain what setting down means; you say money is paid to the person who is set down; what sum of money, and in what manner, do you understand, according to the general acceptation of setting down in York, it is paid?—It has been generally 2 *l.* and two guineas.

5952. In what way?—The person whose name is set down, after a certain time notice is given that the freemen will be paid, and they come and receive their money without saying anything to anybody.

5953. Then you compensate them for the loss of time?—Many a man gets the money that loses no time.

5954. How many of that sort would there be?—A great many.

5955. A fourth part of them?—More than that.

5956. That lost no time?—Yes.

5957. Would there be half?—I cannot speak to the number, but I know a great number that lost no time.

5958. The other half would be scarcely more than compensated for their loss of time?—There are many of them that received besides those two guineas.

5959. For their time?—Yes.

5960. That is, those employed on particular services?—Yes, as messengers.

5961. But the great body of them would lose a great deal of time, and be not more than compensated by the money they received?—Many would be more than compensated.

5962. Does your understanding of the term "setting down" date from the time that the practice began first?—Yes.

5963. That was in Sir Mark Sykes's election?—I think so; but I cannot speak positively to that.

5964. That would be nearly 30 years ago?—Yes.

5965. You have stated that you were not aware as to the intention of Mr. Lowther about setting down; in your opinion, was it in consequence of the promises made to Mr. Barkley that Mr. Lowther opened the books?—I should think it was; it was to secure his return.

5966. And in supporting Mr. Barkley you did not wish to encourage bribery?—No.

5967. But it is the practice sometimes for freemen that wish to have bribes to encourage a third party to come, in order that they may be bribed?—I do not know that that would apply to Mr. Barkley at all.

5968. You supported Mr. Barkley, in order to do away with the system?—Yes.

5969. If it had been understood from the beginning that Mr. Lowther was disposed to open the books and set down, would you have thought that Mr. Barkley would

would have sufficient chance to make him secure of his return?—No; there was no use in his stopping at York then.

5970. Did Mr. Dundas set down at the last election?—I believe he did.

5971. Do not you know that with as much certainty as you know with regard to Mr. Lowther?—Yes.

5972. In 1835?—Yes.

5973. Do you think if Mr. Dundas had not set down, Mr. Barkley would have beaten him?—No.

5974. When was it you communicated to Mr. Barkley that, in your opinion, the election was lost, when the poll was over, or immediately you heard the setting down was begun?—It was immediately I heard that the setting down was begun.

5975. When did you know that the setting down was begun?—On the Wednesday before the polling took place.

5976. Did you vote for Mr. Dundas?—I did.

5977. Do you recollect the sovereign letters being sent round in April last in York?—I heard of them, and saw some of them.

5978. Were you in York at the time?—Yes.

5979. Did any persons in your neighbourhood receive any?—Yes.

5980. Did you see any opened?—No; I saw the letter after the money had been taken out of it.

5981. You did not see any letters with sovereigns in them?—I did not.

5982. Have you not heard of Mr. Dundas's paying after the last election?—Yes.

5983. Had you not heard of that previous to those sovereign letters going round?—I cannot answer that question, for I have no recollection what date it was.

5984. What did you hear that Mr. Dundas paid?—I heard that he paid a pound or a guinea, I cannot say which.

5985. Was that for setting down?—It was to the freemen that were set down on the different lists.

5986. Was that without any distinction of plumpers or split votes?—I cannot say.

5987. Were not the great bulk of Mr. Dundas's votes split with Mr. Barkley?—Yes, the great bulk.

5988. Though you supported Mr. Barkley upon the principles of purity of election, upon what principles did you give your vote for Mr. Dundas, when you knew that he was setting down?—I did not know that he was setting down when I promised him my vote.

5989. When had you given your promise to Mr. Dundas?—Very early in the canvass.

5990. Was it your impression that he would set down?—It was not.

5991. When did you become acquainted with the fact that Mr. Dundas would set down?—I think on the Friday previous to the election.

5992. Did your knowledge of that fact induce you to believe that you ought not to give your vote for a candidate who encouraged that practice?—I was told by several members of the committee, when they were setting down, that no greater number would be set down than what they had services for the men to perform.

5993. By some members of Mr. Dundas's committee you were so informed?—Yes; and I did not know till after the election that he had set down so many as he had.

5994. Was your understanding of the practice of setting down simply that men should receive payment as runners or body-guardsmen, or did it not also include the expected payment of guineas or sovereigns?—I was assured by the committee that it was not a payment, but was for services.

5995. That was in reference to Mr. Dundas?—Yes.

5996. Had any member of the committee told you that after the election?—Both before and since the election.

5997. You signed the second petition?—I did.

5998. There are these words in the petition: "Your petitioners believe that to such an extent does the practice of bribery prevail in elections for the city of York, that the representation of the city may be said to be offered to the highest bidder; and in confirmation of this opinion they beg leave to state, that a gentleman much connected with the city and highly esteemed, and who had several times represented it in Parliament, declined to become a candidate at the late election, on the

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ground that he had no hope of success, without having recourse to those corrupt practices by which elections in York were generally secured;" does that refer to the brother of the late candidate?—It refers to Mr. Thomas Dundas.

5999. Do you know he declined standing for York upon those grounds?—I do.

6000. Do you know upon what grounds his brother was induced to stand, when Mr. Thomas Dundas declined, as he had no hope of succeeding without having recourse to corrupt practices?—I was not upon his committee, therefore I cannot say.

6001. Did you understand that that gentleman meant to have recourse to corrupt practices which you have spoken of, or not?—I do not know.

6002. When you promised your vote you did not ask?—I cannot say whether I did or did not.

6003. But before you gave your vote you found that he had recourse to those corrupt practices?—I had an assurance that Mr. Dundas had paid no man but what he had services for.

6004. You said that Mr. Dundas set down, in the usual acceptation of the term "setting down," at the last election?—Only limited numbers; at least I had been told so.

6005. You have not heard of any sovereign letter being paid by Mr. Dundas?—No.

6006. You know that Mr. Dundas set down at the last election?—Yes.

6007. Meaning by setting down, that he put down voters to pay them after the election?—I understood by that, that they were set down as runners.

6008. You mean by setting down, setting for *bonâ fide* services as runners or messengers?—I was told so by the committee.

6009. You do not understand that he set down in any other way?—I understood that he was setting a limited number down.

6010. And that they were to do *bonâ fide* work for the day?—I have no knowledge myself of what they did, but what I was told.

6011. You had no knowledge of what they did for the Blues?—I knew it by the numbers.

6012. You have not so much knowledge with regard to what was done by Mr. Dundas, as what was done by the Blue party at the last election, that men's names were set down, according to the terms you used, perfectly understood in York, the meaning of which was, that those men were to receive money after the election?—Yes.

6013. You knew that to have taken place on Mr. Dundas's side?—Yes.

6014. When did you know that; was it before you gave your vote?—It was.

6015. You gave your promise to Mr. Dundas before you knew of that circumstance, before you knew that he adopted that corrupt practice; but you gave your vote after you knew that he had been guilty of that corrupt practice?—They told me that they were putting down no greater number than they had work for them to do.

6016. Have you ever heard of any voter going to Mr. Dundas to be set down, who was refused?—I have not.

6017. You gave your vote to Mr. Dundas, with the knowledge that he was then practising a system which you designate in this petition as a corrupt practice?—I gave my vote to Mr. Dundas; I promised it, and gave it him.

6018. With the knowledge that he was then practising the corrupt system?—If it had gone to the number of 500 or 600 it would have been corrupt; but I had no knowledge of how many he was putting down.

6019. Is it less corrupt to bribe five votes than 500?—I do not know that it is.

6020. Do you consider that he intended to resort to this corrupt practice when you gave him the promise?—No.

6021. Then you did not view the setting down, as you understood it to be intended by Mr. Dundas, as that corrupt practice of which you have complained in the preceding part of your evidence?—I believe Mr. Dundas, but I cannot speak to the day, did not begin to put down till the day after Mr. Lowther, and I considered that Mr. Dundas was putting down to secure some of the freemen, that all might not go off to Mr. Lowther.

6022. Did you understand Mr. Dundas putting down the day after Mr. Lowther, as doing on the part of Mr. Dundas what you consider a corrupt act with respect to Mr. Lowther, or that he set down with a different intention, which was not corrupt?—I cannot say what his intention was.

6023. What

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6023. What was your impression?—My impression at the time was, that it was to save some of the freemen who were going over, because, in looking over the list of voters for Mr. Lowther, I counted a great number who had always polled for the Whig interest.

6024. Do you consider that though Mr. Dundas commenced the day after Mr. Lowther, if it was corrupt on the part of Mr. Lowther, it was equally corrupt on the part of Mr. Dundas?—I do.

6025. You consider setting down as corrupt?—Yes.

6026. When your suspicions were awakened, you went to Mr. Dundas's committee to know what it was for?—Yes.

6027. What was the answer?—That they were setting down; but they said they were setting down a limited number.

6028. Supposing you had known that both Mr. Dundas and Mr. Lowther were setting down in that corrupt manner, must you not have made the choice of voting for Mr. Dundas instead of Mr. Lowther, on the ground of political principles?—Yes.

6029. How do you account for Mr. John Dundas coming to stand as a candidate in the place of Mr. Thomas Dundas, who had withdrawn on the ground that he had no hope of success without having recourse to those corrupt practices in York by which elections in York were generally secured; did it ever occur to you as something extraordinary, when Mr. Thomas Dundas had declared that he could not be a candidate because he had no hope of success?—I was not upon Mr. Dundas's committee.

6030. Did it ever occur to you as extraordinary?—No.

[The Witness withdrew.

Mr. *John Clemisha*, called in; and Examined by Mr. *Hill*, as follows:

Mr. *J. Clemisha.*

6031. ARE you a member of the Society of Friends?—I am.

6032. Living at York?—Yes.

6033. Were you engaged in the last election; did you take any part in the last election?—I did.

6034. Of which party were you?—I was with Charles Barkley's party, because he came on principles of purity of election.

6035. Had you ever taken a part in the elections in the city of York before?—Scarcely any at all.

6036. Does that also apply to gentlemen of your persuasion generally?—I cannot say that it does; not entirely.

6037. But for the most part have they refrained from elections?—Yes.

6038. Though you have refrained from elections, do you know whether or not it was notorious in the city of York, that the elections were very much influenced by money paid after the election to voters?—Most assuredly.

6039. Is there any doubt, as far as you know upon that subject, in the minds of any class of persons in the city of York?—The fact is as notorious as that York Minster stands in the Minster-yard.

6040. Do you know what setting down means; is it a common phrase?—It is a common phrase which I do not exactly understand the weight of, not having been engaged in anything of the kind.

6041. But do you know this much of it; is it the means before the election of letting a voter understand that if he votes in a particular way, he will receive money after the election?—I believe that it is.

6042. Do you believe that the setting down had a great influence upon the event of the election the last time?—I do.

6043. Do you remember Mr. Lowther beginning to set down?—I have heard of his party setting down.

6044. Do you recollect the time when that began?—I cannot say that I do.

6045. Did you sometimes canvass with Mr. Barkley?—A little.

6046. Do you happen to know whether or not there was great care taken to ascertain exactly the state of real promises; were you enough engaged with the canvassing to know that?—No, I was not.

6047. You were not much in that department?—No, very little; I have no doubt that such was the case, but I know very little about that department.

6048. Did you sign the second petition?—No, I signed the first petition.

6049. Why did you not sign the second?—Because I signed the first.

 6050. Then

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6050. Then the two petitions are not signed by the same individuals?—No, not in any instance, I believe.

6051. Did you go round with the second petition?—Yes.

6052. Was it read to those who signed it?—I believe in every case where I got a signature, it was either read by the person who signed it or read to him.

6053. That was the plan upon which you proceeded?—It was; the petitioners were a class of persons who do not sign petitions without reading them.

6054. Were you there when Mr. Alderman Cooper signed?—I was.

6055. Was that petition read over to him, or did he read it over?—He either read it or it was read to him.

6056. Was there conversation upon that?—There was.

6057. Was he made fully acquainted with the contents?—He was.

6058. Did he sign before or after he had been made fully acquainted with the contents?—After.

6059. Did you hear at any time from him that he was dissatisfied with the petition?—Not at all.

6060. In your opinion has the person who should go to York and act upon what we have been calling principles of purity of election, any good chance of getting seated?—None whatever.

6061. He has no chance at all, in your opinion?—None whatever.

6062. Were you in York when the sovereign letters were sent round?—I was.

6063. Was it, or was it not, a notorious understanding at York, that those sovereign letters were in fulfilment of the tacit engagement made on the part of Mr. Lowther, by the setting down before the election?—Decidedly so.

6064. And, in your opinion, will the sending round the sovereign letters materially affect any subsequent election in Mr. Lowther's favour?—In my opinion it would.

6065. If the practice is not checked?—Decidedly.

6066. Were you vice-chairman of Mr. Barkley's committee?—I was.

6067. Do you recollect the number of promises that were obtained?—I do not.

6068. If a witness has said that there were upwards of 1,000 promises, does his estimate agree with yours?—I should think there were more promises than that to Charles Barkley, but I have no means of ascertaining.

6069. How many do you think?—I should suppose 1,200 or 1,300, but I do not know at all.

6070. Do you happen to know whether many of those voted against him?—I believe a number did.

6071. He polled but 900?—919.

6072. To what do you attribute the going over of those promises?—The circumstance of the men being promised that they should be paid for holding up their hands for Duncombe and Walker, and that they should be made constables at that election, and the understanding that the honourable gentleman John Henry Lowther would pay.

6073. In pursuance of the setting down?—Yes.

6074. Were you with Mr. Barkley when he went and looked over a window of a particular place?—I was.

6075. Was Mr. Barkley engaged in intimidating the electors at that time?—Not at all.

6076. What was he doing?—There was an aged person, a man well advanced in years, Robert Waller, a very grave person, walking with myself and Charles Barkley; my friend Robert Waller said, "This is the hole of the place where they are bribing;" and Charles Barkley said, "Gentlemen, I will unkennel you," or something of the kind.

6077. What did you understand by that?—That he would bring the matter before the public.

6078. As to the bribery?—Yes.

6079. There may be intimidation against bribery as far as you know?—I fear it would not have any effect.

6080. If it should be said that Mr. Barkley collected a mob upon this occasion, would that be true or false?—I believe the mob consisted of Robert Waller and myself.

6081. Is Robert Waller one of the Society of Friends?—Yes.

6082. Then the mob consisted of two Quakers and the candidate?—Yes.

6083. Are the first petitioners men of respectability?—Yes.

Cross-examined

Cross-examined by Mr. Wrangham.

6084. You are one of them?—Yes.

6085. You cannot give yourself a bad character?—I have no hesitation in saying that I am a respectable man.

6086. All that Mr. Barkley said was, "Gentlemen, I will unkennel you?"—I think that was what he said.

6087. That you understood to be a civil mode of address?—I understood it to be a mode of address practised without offence at elections.

6088. If anybody had come to your shop and said, "Clemisha, I will unkennel you," would you have thought it very polite; not coarse?—It would have depended upon circumstances.

6089. Would you, or would you not, consider that using language such as, "Gentlemen, I will unkennel you," it was a coarse expression?—It depends very much upon circumstances. I should think in the ordinary circumstances it undoubtedly was, but not at all an out of the way thing to be said in the heat of a contested election.

6090. There were only you and your friend Mr. Waller, and this gentleman together; there was no disturbance?—No, not there; but the whole town would be excited during the election.

6091. Were you and Mr. Waller in a state of excitement?—I dare say we might not be quite so cool as if we had been sitting at our fire-sides.

6092. Would you have used the term?—It is impossible for me to say.

6093. You do not know whether you would not have said it?—It is very possible that I might have used such a term.

6094. Did you?—No.

6095. You take upon yourself to say that you should have put the promises to Mr. Barkley at 1,200 or 1,300; you have told us that you had no means of ascertaining; by what process of calculation do you arrive at that?—We polled 919 votes, and I heard at the hustings, from the gentleman himself, that 300 or 400 promises had left them; and by that reasoning I come to that conclusion.

6096. The gentlemen did not tell you how many had come to them subsequently from Mr. Dundas's party?—No, there was nothing mentioned about that at the time.

6097. Therefore, if there were a great accession in that way, your calculation would be founded upon erroneous principles?—No, not exactly, because we always recommended our party to split upon Dundas.

6098. If the great accession of strength came from Mr. Dundas's second votes, your calculation, which is made leaving those votes out of the question, would be incorrect?—Yes; but it is not leaving them out of the question, because many persons promised both parties to give split votes.

6099. Do you mean, when you speak of 1,200 or 1,300 persons, that that was the utmost extent of persons who had promised Mr. Barkley?—I cannot say.

6100. When did you make your calculation?—At the time he ended his canvass.

6101. You made it from materials which you collected at the polling?—Just so.

6102. Therefore it embraces all the parties who promised him, down to the period of polling?—Certainly.

6103. Whether there were 1,300 or 1,100 you cannot take it upon yourself to say positively?—No, I cannot indeed.

6104. You say that you went round with the petition; what was done in the way of taking this petition round?—I took it in conjunction with another gentleman now waiting to give evidence as a witness, from one house to another, of respectable people, aldermen, bankers, and the most respectable of the citizens.

6105. How long did it take you to go round?—Several days; we were not employed all that time in collecting the signatures, we did it when we had an opportunity.

6106. Did every one to whom you applied sign the petition?—No, they did not.

6107. Will you tell us on what grounds they declined?—There were some very respectable gentlemen of the Tory party objected to it on the ground of its being an election petition, and they thought it too personal; they thought it a party petition; we thought it not a party petition at all. Others objected to it, because they

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they said they had been engaged in the affairs of elections of a similar nature, and they said they had not clean hands; that was the expression they used.

6108. Will you tell us any of those gentlemen who declined on that ground?—I did not wait on one myself that used that expression.

6109. How many days were you employed in taking it round?—Perhaps three or four.

6110. The number of signatures is a little upwards of 40?—Forty-five.

6111. You got a dozen a day?—Yes, scarcely more than that, because the petitioners each of them read the petition, which made it a work of great time, and we had only our leisure time to dispose of for it.

6112. You said that Mr. Lowther set down in the last election; did you understand that Mr. Dundas set down?—I think I have heard something of that, but I cannot be positive.

6113. Not whether you have heard anything of it?—No; it is so common a thing setting down, that I should not like to speak positively.

6114. Have you any doubt of it?—I have no means of knowing.

6115. What means have you of knowing about Mr. Lowther?—Common rumour and reports of my own men.

6116. But you say there is nothing extraordinary in a party setting down in York, and therefore you cannot charge your memory with respect to Mr. Dundas; how can you give me an answer with respect to Mr. Lowther?—I should be puzzled to give an answer to that question. Mr. Lowther's party is considered a hostile party, and therefore I looked the more closely after them.

6117. It was more noticed for a Blue to set down than an Orange?—They do it so much more effectually.

6118. In this case it seems to be effectual in each party, for Mr. Dundas came in as well as Mr. Lowther?—Yes, he did.

6119. Have you any reason to doubt that Mr. Dundas was setting down previous to the last election?—I really do not know; if I recollected, I would tell thee at once, but I do not know.

6120. You say that you supported Mr. Barkley because he came on principles of purity of election; did you support Mr. Dundas on that ground?—Yes, I expected certainly that he would not pay.

6121. What ground had you for that expectation?—The ground of the hope of a better state of things in the city.

6122. That might have applied to Mr. Lowther as well?—Not exactly.

6123. You were aware that Mr. Thomas Dundas had withdrawn, because he said that nobody could come in without paying?—Yes, I am.

6124. And you are aware that Mr. John Dundas came forward immediately upon his brother retiring?—Yes.

6125. Would not that lead you to suspect that he had an intention of paying?—Yes, undoubtedly.

6126. What removed that impression from your mind that he would pay if it was removed?—I do not know.

6127. Did anything?—I do not know that anything did; I do not know that I thought much about it.

6128. You voted for Mr. Dundas?—Yes.

6129. You did not feel it necessary to inquire whether he would pay?—No; if there had been two candidates professing purity of election, I should have voted for them both; but when two gentlemen of Whig principles came, and they were opposed by a Tory, I should have voted for the Whig; and I voted for the one on the ground of purity of election, and the other because he was a Whig.

6130. If neither had come on principles of purity of election, which should you have voted for?—I do not think I should have voted.

6131. If Mr. Dundas and somebody else had come, what should you have done?—I can scarcely tell thee; I might perhaps, but it is impossible to say.

6132. So that Mr. Barkley, with his political principles, you would have supported, whether he had taken up purity of election or not?—Both operated on my mind.

6133. *Committee.*]—But you would not have taken an active part, acting as his vice-chairman, if he had not taken that course?—No, I could not, as one of the Society of Friends, have done that.

6134. Mr. *Wrangham.*]—No person who comes upon the principles of purity of election can have any chance of being returned for the city?—That is my opinion.

6135. Has

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6135. Has it ever occurred to you that the support of a particular friend of that party may not incumber him with dangerous assistance?—I do not understand the question.

6136. Has it never occurred to you that persons taking a prominent part, who are themselves unpopular in the city, might not affect his chance in the city?—I do not exactly understand the bearing of the question.

6137. Do you understand the meaning of it?—No.

6138. Has it never occurred to you that a candidate may be as much damaged by the unpopularity of his supporters as by that of his professions?—I do not think so.

6139. Supposing a number of unpopular persons had been his principal supporters, you do not think that would have damaged his chance of success?—I do not think such a case ever occurred or would occur.

6140. If it occurred, would not that account for a candidate being defeated?—If a candidate came a stranger to a town, and surrounded himself by unpopular persons, it is only natural to conclude that it would affect his success.

6141. You have told us that you sometimes canvassed; to what extent did your canvass proceed?—Not to more than half-a-dozen persons.

6142. Are any of those persons in your own employment?—Yes.

6143. How many?—All my men who are free voted for Dundas, except one, who voted a plumper for the honourable gentleman, John Henry Lowther, and one split, Lowther and Barkley.

6144. Do you recollect that person's name?—Bean.

6145. Was that man promised by you or by any one else, to your knowledge, that he should have constant employment, or long employment, if he would vote for Dundas and Barkley?—No.

6146. Was he dismissed soon after voting for Mr. Lowther?—No.

6147. How long after?—Four or five months; I cannot tell.

6148. How long ago is it since he was dismissed?—A couple of months perhaps; I did not discharge the man on political grounds.

6149. Have you not heard of the man complaining on that ground?—Yes, I have; but as a proof to the contrary, I have the man still in my employ who voted a plumper for the Blue party.

6150. You say that you do not know anything about the meaning of the term setting down, from your never having been engaged in anything of that kind; you do not understand the term?—I do, as much as this; that it is expected that those persons who are set down will vote for the party setting them down.

6151. So, it is expected that if the man's name is set down in the canvass-book, he will vote for the party who has promised him?—Yes.

6152. You say this setting down is a different kind?—Yes, quite another thing.

6153. What is it?—I can scarcely tell what it is, as I repeated to the other learned gentleman; it is some kind of a setting down, with an understanding that they shall vote and be paid.

6154. But you do not know that?—I believe it most certainly.

6155. Without knowing it?—I have no personal knowledge of it; but I do believe it.

6156. Do you understand what is meant by setting down?—I do not exactly understand the meaning of the word setting down, any further than this; I understand it to mean that they shall have their names put down, and vote and be paid; but I never had anything to do with anything of the kind, and therefore I cannot speak but from supposition; I have never come in the way of it myself.

6157. Therefore as far as you know, the setting down may be setting down the names of promises, or the names of messengers, or the names of musicians or anything else?—With the expectation that they shall be paid.

6158. You do not know it of your own knowledge?—I know nothing about it of my own knowledge.

6159. You speak from supposition?—Yes, and from rumour, common report.

6160. All you tell us of what you understand to be the proceedings of the last election, as far as you know, not in your committee-room, what you have heard and believe from the rumour of the place?—Yes.

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PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *Lowther* stated that he had received intimation that Messieurs Becket & Co., who were bankers, had obtained a summons to appear before this Committee, and he would suggest whether the attendance of their chief clerk would not be sufficient.

Mr. *Hill* stated that a letter had been received from the country agent, from which it appeared, that it had been arranged that the chief clerk should attend (if required) instead of the principals.

Mr. *Hill* stated that Mr. Harwood had been summoned by the Committee, but that, in consequence of circumstances which had arisen in the course of the inquiry, he conceived that Mr. Harwood's evidence was not now necessary. Mr. Harwood appeared before the Committee and was discharged.

Mr. *Wrangham* stated that Robert Wand, George Hopkinson, and Mr. Braithwaite had been summoned, but that, in like manner, he conceived their evidence was not necessary. The witnesses appeared before the Committee and were discharged.

Mr. *John Clemisha* again called in; and Re-examined by Mr. *Hill*, as follows:

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6161. I UNDERSTOOD you to say, tell me if I understood you correctly, that when you went round to obtain signatures to this petition, you went to persons of all parties in the city of York?—Decidedly so.

6162. You have told us that different persons refused for different reasons; some that their hands were not clean, others that they thought it a party proceeding?—Just so.

6163. Amidst all the reasons that were given to you for refusing to sign this petition, did anybody suggest that there was no corruption in the city of York?—No, no person suggested that; I think it was admitted on all hands, and we had many debates as we went along, as to the possibility of preventing it.

6164. Did you ever in going this round, or at any other time, hear it suggested that the payment of persons set down, was a payment for *bonâ fide* services performed?—No, I am not aware that ever I did.

6165. Do you think that anybody venturing upon such an ingenious solution in the city of York would not be met with laughter?—I do think that it would be laughed at.

6166. You have told me that one of your workmen voted for Mr. Lowther; do you know whether he was set down?—I believe he was.

6167. Have you learnt so from himself?—I cannot say; I knew for some time before that he intended to vote in that way.

6168. Before the setting down begun?—Before the election; and that man went and walked as a freeholder to the county.

6169. Went to the nomination, do you mean?—Yes.

6170. Are you speaking of the man who voted a plumper?—Yes.

6171. The man who is still in your service?—Yes.

6172. Did he hold up his hand at the nomination?—Yes.

6173. How much had he for that?—I think 5 *s.* 6 *d.*, but I am not certain.

6174. Do you know which day he voted for Mr. Lowther?—I do not.

6175. Do you know whether this man received one of the sovereign letters?—Yes.

6176. How do you know it?—He has told me so.

6177. Did

6177. Did the other man who gave a split vote, and is not now in your service, receive a sovereign letter?—I do not know. Mr. *John Clemis*

6178. You had no conversation with him upon the subject?—No, I do not know that I had. 19 August 183

Examined by the Committee.

6179. What is the name of this man who voted for Mr. Lowther, and who is still in your service?—Robert Kullingworth.

6180. Did he state to you that he received a letter containing two sovereigns?—Yes.

6181. Did he state to you how it came?—I think it came by the post, but I am not positive; I heard nothing to the contrary that it came by the post.

6182. Did you see the letter itself?—No, I did not.

6183. Do you recollect before the last election who began the setting down?—No, I do not.

6184. Mr. *Wrangham.*]—You have said that you went to persons of all parties; how could you expect the friends of Mr. Lowther to sign this petition, which was brought to them by you, when you had signed the other petition directly attacking Mr. Lowther?—The second petition did not attack the honourable Member for York; it was a general petition on the corruption which was practised at York elections, and we took it to very respectable gentlemen of the Tory party, as friends of good order, to request their signatures.

6185. *Committee.*]—Did any of those parties express concurrence in the sentiments of the petition?—I only called upon one of the parties himself; I made several calls and did not find the parties at home; one party I called upon, and my friend, who is waiting as a witness, waited upon others.

6186. Did you call upon one of the Blue party?—I called upon three or four, but found only one at home.

6187. Did you not say that you took it generally to both parties?—Yes, we took it to several.

6188. But you yourself took it to only one or two of the Blue party?—I called upon several myself, but I only found one at home.

6189. There is this paragraph in the petition, "That your petitioners have very recently heard, on authority which they cannot dispute, that a great number of letters have been sent through the post-office at York to the poor electors who voted for one of the successful candidates, containing one or two sovereigns each, according as the party had given a single or divided vote for a candidate;" was that a charge?—It was a statement of facts which we thought the friends of good order would set their faces against.

6190. Your belief was, that those who supported Mr. Lowther from reliance in his political principles, might nevertheless disapprove of sending those letters round, supposing he had actually done so?—Yes, those persons we called upon we expected would be of that belief.

6191. How do you reconcile your statement, that the second petition was not directed against Mr. Lowther, but was a general petition, with the fact of its containing a direct allegation against Mr. Lowther?—I do not consider it an allegation against the Member for York; it is a general petition attacking all sides.

6192. The Committee will read to you this paragraph in the petition, "That your petitioners have very recently heard, on authority which they cannot dispute, that a great number of letters have been sent through the post-office at York to the poor electors who voted for one of the successful candidates, containing one or two sovereigns each, according as the party had given a single or divided vote for a candidate." Do you think that the candidate referred to in that paragraph of the petition is Mr. Lowther?—Undoubtedly.

6193. Do you think it at all probable that any of the supporters of Mr. Lowther could join in a petition containing such a reflection upon him?—Yes, I do.

6194. In point of fact, did any of the supporters of Mr. Lowther sign the second petition?—I believe they did not.

6195. There is a paragraph in the second petition, which recites, as a fact, that a gentleman of great respectability had declined from conscientious motives offering himself for York; you are aware of that?—Yes.

6196. Was your object in stating that fact in the petition, to raise an inference in the minds of the House of Commons, that the constituency at York was greatly corrupt?—

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corrupt?—I should think so; we stated the fact, to call the attention of the House to it as a very important one.

6197. Did you think it a fact calculated to draw presumption from of the corruption of the constituency of York?—Yes.

6198. Do not you think that that inference would have been weakened, if you had stated at the same time that the brother of that gentleman did at the same time offer himself for York?—No, I do not think it would.

6199. Do not you think that if you had stated that the brother of that gentleman who had withdrawn had offered himself, it would have weakened the inference as to the corruption of that constituency, as a body?—No.

6200. Do you consider that both of those gentlemen were of equal standing and respectability, and each as conscientious as the other?—I dare say they might be.

6201. Did it never occur to you, in the 40 times you read over this petition, that if you had stated the whole of the facts, that when one gentleman withdrew, another, his brother, took his place, it would weaken the presumption you wished to be drawn?—No, it never occurred to me.

6202. It never once occurred to you, in the 40 times you have read over this paragraph, that if you had stated the whole truth, that the brother of the gentleman took his place, it would have weakened the inference?—I really and conscientiously declare that I think it would not have weakened the paragraph.

6203. You have known two brothers of very different political sentiments, have you not?—Yes.

6204. Does the expression in that paragraph have reference simply to a difference of political sentiments, or does it not refer to the morality or immorality of the practice there complained of?—To the morality or immorality of the practice.

6205. Then would it not appear, that if two gentlemen of equal character and respectability took different views of their duty as to becoming candidates for York, they entertained a different estimate of morality?—That inference may certainly be drawn from the paragraph.

6206. Then is not the statement, that one candidate retired on the ground of the alleged immorality of the practices that prevailed in York, unconnected with the fact, that another gentleman of admitted equal respectability of characrer became a candidate, calculated to lead to an erroneous inference?—No; I do not think that it is.

6207. In point of fact, is not the main fact alleged in this sentence which has been adverted to, calculated to work upon the mind of the House of Commons this impression, that no person can become a member for York who will not have recourse to corrupt practices?—Decidedly so.

6208. And whether one gentleman might reconcile his mind to them and another might not, still the fact remains uncontroverted in your belief, that the freemen of York are corrupt?—Yes.

6209 Might a second gentleman not view as corrupt that which the other gentleman did view as corrupt?—It is very possible.

6210. A great deal of party feeling is evidenced on an election?—Yes, there has been.

6211. Might that influence the judgment of an individual of one party, when he was forming an opinion of the conduct of another?—In reply to that, I would beg to state, that respectable persons in York who voted for one candidate would not vote for the other on that very ground.

6212. An individual of one party might form an exaggerated notion of the corruption of the other?—It is possible he might.

6213. Did you ever hear of a party that confessed they were ever beaten by fair means?—I do not know that ever I did.

6214. You mention in reference to the sovereign letters, that this person who had been in your employment and who voted a plumper for Mr. Lowther, had received two sovereigns?—Yes.

6215. Have you heard of any other particular individuals who have received similar letters?—Yes.

6216. Have you been told so by those individuals?—I do not know that I was told so by the individuals, but I have been told by persons who have heard from individuals who had received them.

6217. There is no particular individual who has said in your hearing that he received one of those letters?—I do not recollect any person who has.

6218. Do

6218. Do you recollect the morning when the sovereign letters were delivered in York?—Yes, I recollect the circumstance perfectly well.

6219. Was a great sensation created by it?—Yes, there had been great impatience before they came.

6220. How do you know that there had been great impatience before they came?—I heard it as a rumour in the town, even so early as the election for the county; people began to grumble because they were not paid.

6221. Did you hear any particular people grumble?—No; persons came into my shop and said, people in the street are very much dissatisfied; they say they are not going to be paid, and so on.

6222. Did you understand that reference to non-payment to be to the guinea or to the setting down money?—I apprehend the sovereigns were the setting down money; I expected it to have reference to the payment, which I expected would come forward in that way.

6223. How soon after the city election did the county election take place?—Perhaps a week; I am not certain.

6224. You are not aware that any payment made so immediately subsequent to the election would have avoided that election?—Yes, I was aware of that, and saw the absurdity of the persons' impatience.

6225. You think that they were not aware of it?—No.

6226. There was one person who voted for Lowther who has since been discharged from your service, was he discharged from political considerations?—Decidedly not.

6227. Was there a general report to that effect amongst the opposite party?—I dare say there was.

6228. And yet there is no foundation for it?—I declare not the least in the world; I should consider it treason to a British subject to do anything of the kind.

6229. And you ascribe that rumour to the violence of political feeling?—To nothing else.

6230. Do you think it right, under these circumstances, to give credence to the reports respecting the opposite side?—It depends upon circumstances; here is a thing as notorious as the passing of the York mail through the city; we do not see it, but none of us doubt it.

6231. Though it was reported with that notoriety that you speak of, that your servant was discharged by you for political considerations, there is not a word of truth in it?—There is not.

6232. Do you think the poorer class of the freemen in York are accustomed to regard the practice as a great moral offence, or as a venial offence which long practice has sanctioned?—There are some who view it in that way, and there are others who approve of it; the better class of freemen look upon it with great scorn and indignation; there are some in the working class who would not take a bribe.

6233. Do you think such a feeling is increasing among the poorer classes in York?—I believe it is. I have a workman at the present time who says that he is ashamed of being known as a York freeman.

6234. Do you think if you could prevent persons continuing to bribe, that would alter their feeling?—If the bribe could be prevented from being offered, I think we should have a fair election.

6235. Do you believe that there is a single honest man in York who doubts what those sovereign letters were sent for?—I do not think there is.

6236. You never heard one express a doubt?—I do not think that I have.

6237. Do you think that Mr. Thomas Dundas, before he retired, was aware that a third candidate would come forward upon the principle of purity of election?—I cannot tell; I have no means of knowing.

6238. In this second petition which you signed, it is stated that liquors were freely distributed, and that drunkenness prevailed to an enormous extent; did many instances of that drunkenness fall under your own ocular observation?—I signed the first petition; at the same time there were many instances of drunkenness came under my own observation; men with Blue cards in their hats, exceedingly drunk.

6239. Did you see any men with Orange cards in their hats drunk also?—One or two, but not many; perhaps I might not take so much notice of Orangemen.

6240. Have you been present in former elections in the city of York?—I have lived in York 10 or 12 years, and have seen the elections that have taken place, but

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I never interfered in any election but this, and the last election for Thomas Dundas, who came forward on principles of purity at that time.

6241. Is it your opinion that drunkenness was more prevalent in the last election than in the preceding elections?—Yes.

6242. Much greater?—I should think it was much greater.

6243. Were your opportunities of observation in former elections, in which you took no part, as great as in the present instance, in which you took an active part?—Perhaps not so great; but I am not aware that on former elections the district committee-rooms of any party were turned into beer-houses.

6244. Was that the fact at the last election?—I have no doubt of it; there was one immediately abutting my own house, and in the night I could not tell what neighbours I had got, there was such a noise.

6245. What night was that?—It was during the election, I do not recollect what night.

6246. Was it before the polling began?—I am not certain.

6247. Was it a public-house?—No, a private house, a room.

6248. Were the committee-rooms at the last election for the Blue party held at private houses?—I believe they were held at private houses.

6249. Who was the person at whose house this committee was held?—It was an empty house, situate at Miss Gates, and my house abuts upon it; for instance, my house runs back there, and that house fronting it in the other street comes here; and the houses in that neighbourhood are divided principally by lath and plaster, consequently noises are distinctly heard.

6250. Who was chairman of that district committee, was it not a person of the name of Taylor?—I do not know.

6251. Do you know Taylor?—I know Taylor.

6252. Is he not a Wesleyan methodist?—Yes, he is a Wesleyan methodist preacher, and a very worthy man.

6253. But you do not know whether he was the chairman of this meeting or not?—No.

[The Witness withdrew.

Sir *Robert Sidney* was called in; and Examined by Mr. *Hill*, as follows:

Sir *Robert Sidney.*

6254. YOU are a Parliamentary agent?—Yes.

6255. Did you prepare a petition on the behalf of Mr. Barkley, the late candidate for the city of York, soon after the general election?—I did.

6256. About what time?—I received my instructions, I think, down at Westminster hustings; I met Mr. Barkley there, and I think it was a day or two after that.

6257. Whilst the Westminster election was going on?—Whilst the Middlesex election was going on; Mr. Barkley proposed Mr. Hume, I remember.

6258. Were any expenses incurred in preparing that petition?—Yes, there was counsel's opinion taken, and there were my expenses.

6259. Will you tell the Committee why that petition was abandoned?—Mr. Barkley objected to go on with the petition unless I would ensure him success; he said, "I do not like a flash in the pan; I do not like to annoy the members unless I was sure of succeeding." I think those were the words, something to that effect; and I said, though the counsel's opinion was very favourable, I could not ensure success; and the expenses would be very great of course.

6260. Did you advise your client upon that occasion that the chances of success were very considerable?—Yes, I thought they were very considerable.

6261. Which you did not conceal from him, and that the costs would be heavy?—No; he made me make a calculation of them; he is very precise for witnesses, how much for each man, and so on.

6262. And balancing the costs against the chance of success, he thought it better to give it up?—He thought it better not to persevere.

6263. If there was any election petition drawn after the 16th of April, you know nothing of that?—I do not.

Cross-examined by Mr. Wrangham.

6264. You say that you advised your client that the chances of success were very considerable?—Yes, I did.

6265. Were

6265. Were you ever employed to draw an election petition where you did not think the chances were considerable?—Yes, I have had some doubtful cases.

6266. But the chances are generally very considerable?—There are different opinions upon that; sometimes a client will go on.

6267. Mr. Barkley was not a client of that description?—No; he was a very tractable client.

6268. Am I to understand you that that petition dropped through, on the ground of the certain cost overbalancing a considerable chance of success?—I think you may put it upon that ground.

6269. You did not hear of any difficulty in procuring evidence?—No; there was a doubt whether he would be able to have proved all that had been stated. I understood that he would have to go into the enemy's camp for witnesses.

6270. So that it was rather a hap-hazard mode of proceeding?—I almost forget the circumstance; but I think some men were offered to be paid half-a-crown a day, which he said we should prove easy enough. Mr. Rogers thought it was a very good case.

6271. Though he thought it a very good case, the petition was not proceeded with?—No, it was engrossed; and Mr. Barkley went to France, and I never heard anything more of it.

6272. This was not a flash in the pan, but a half flash?—It never was presented; I do not think it was mentioned.

6273. Have you a recollection of the contents of that petition?—Yes; it was bribery and treating; those were the charges.

6274. Those are generally the charges?—That was the sole; there was no charge of want of qualification, or anything of that kind, that I recollect; it was merely bribing and treating; no intimidation, or any of the usual charges, but bribery and treating.

6275. Have you ever read the petition in this case, or either of the petitions upon which the Committee is proceeding?—I think I read a printed petition one day, about April or thereabout, stating that some sovereigns had been sent; but I was not concerned in it, and it has left a vague impression on my mind.

6276. It did not strike you that it was the same petition?—No; quite a distinct thing; we knew nothing of the sovereigns at that time.

6277. Speaking of this petition that you have seen printed, was it altogether distinct from that which you have proceeded upon?—Yes; the ground that I meant to go upon, was with respect to men who, if they voted on a certain day, were to be paid almost as porters; and then there was a meeting held, in which it was alleged that they were to be paid as before, and it was said that that was all right, or something, and they agreed upon that understanding; I almost forget it.

6278. And you say there was some difficulty in proving this matter?—Yes; we should have had great difficulty in proving this matter, because it would have been necessary to call for the banker's book of some of the parties.

6279. Do the Committee understand you, that the advice you gave to your client, and the course that he followed, depended upon the possible defect of evidence, as well as upon the certain expenditure of money?—I think that the chances were great; and I thought we should have succeeded; but as the matter would be fought very strongly, I said, "unless you are pretty strong, I advise you not to begin, for it would cost a large sum of money, and we do not work for nothing, generally speaking, and there must be an immense expense incurred."

Examined by the Committee.

6280. In the course of your experience, have you known clients proceed upon a weaker case than that?—Yes, very much.

6281. Have you known them succeed?—Yes.

6282. Have you not known persons deterred from the expenses, who have had very good cases?—Yes.

6283. What was the calculation you made for the expense of prosecuting the petition?—It depended upon the number of witnesses; I think we drew up a scale of witnesses, according to the number of days and what they would be paid; but I have not a recollection now of what the expense was; it might be 2,000 *l.* or 3,000 *l.*

6284. Mr. *Hill.*]—Would it not depend upon the witnesses called on the other side?—Certainly.

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6285. Did I not hear you tell my learned friend that you were a little alarmed at the names of the opponents?—They were persons of some considerable consequence.

6286. And that it must be expected to be fought very strongly?—That was my opinion.

6287. Mr. *Wrangham.*]—You said that there was no chance of want of qualification against Mr. Lowther?—No.

6288. Mr. *Hill.*]—Have you any reason to suppose that Mr. Barkley has not qualified himself?—No; I think I almost know him to be qualified; when I say almost to be qualified, I mean that Mr. Barkley, in the course of conversation, has stated to me that his income is derived from such and such property.

[The Witness withdrew.

Mr. *Joseph Rowntree* was called in; and Examined by Mr. *Hill*, as follows:

Mr. *Joseph Rowntree.*

6289. ARE you a member of the Society of Friends?—I am.

6290. How long have you lived in York?—Rather more than 13 years.

6291. Are you acquainted with the state of York, as regards electioneering matters?—I have but little acquaintance with them, having taken no part.

6292. Allow me to ask you this; though you have taken no part yourself, is it or is it not notorious that the elections in the city of York are very much effected by money?—It is.

6293. Have you ever heard of setting down?—I have.

6294. As you have not taken much part, probably you are not aware of the minutiæ respecting setting down?—I am not.

6295. What is your understanding with respect to setting down in York; what does it amount to; what do you think it means?—What I have understood by it is this, that the names are set down for the purpose of the parties whose names are so set down receiving a pecuniary consideration for their votes.

6296. Is that the general, or is that the universal opinion of the people of York?—I think I cannot answer that question as to the universal opinion.

6297. Do you know anybody in York who entertains a different opinion of the meaning of setting down?—I do not.

6298. Did you ever hear one suggested?—I did not.

6299. Then, as far as you know, that is the general opinion?—As far as I know; I never heard anything to the contrary.

6300. Has it not frequently been the subject-matter of conversation between you and other persons; have you heard it talked of?—Yes, I have heard it talked of.

6301. And always with that meaning?—Always.

6302. Did you vote at the last election at all?—I did.

6303. For whom?—For John Charles Dundas alone.

6304. Did you carry round, or assist in carrying round the second petition?—I did.

6305. Did you sign it?—I did.

6306. Did you sign the first?—I did not.

6307. Were you asked to sign the first?—I was thinking; the first petition was shown to me; I am not certain that I was directly asked to sign it; I rather apprehend it was shown to me for the purpose of obtaining my signature; if that was the object with which it was shown to me, I declined it.

6308. On what ground did you decline it?—I do not know that I can explain to this Committee very briefly all the grounds on which I declined to sign it.

6309. Was there some leading ground?—The leading ground was, that it was too partial in its complaint.

6310. That it was a party measure, in fact?—It did appear to me to have that appearance.

6311. Was your reason for signing the second petition, that you wished corruption to be put down wherever it might appear, among Blues or Oranges or any other party?—It was.

6312. You say you went round with the second petition?—I did.

6313. Did you go to members of all parties, or confine yourself to members of the Orange or Liberal party?—My applications were not confined to any one party.

6314. Did you apply to the Conservative party?—I applied to some individuals of that party.

6315. We find an allegation in the petition, that sovereign letters have been sent round

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round by one of the candidates; which of the candidates does that allegation refer to in your mind?—I understood it to refer to John Henry Lowther.

6316. The allegation does not say that they were sent round by one of the candidates, but by two persons that had voted for a particular candidate; you tell me that that candidate was Mr. Lowther?—Yes.

6317. Did it appear to you that there was anything in that allegation which should prevent your taking the petition to persons who had voted for Mr. Lowther?—It did not prevent me.

6318. Does any reason strike your mind why it should?—I apprehend that those persons whom I applied to would not approve of any such practice, though they themselves had voted for John Henry Lowther.

6319. Did you apply to such persons as you thought had voted for Mr. Lowther, though from very different motives from those connected with the sending of letters?—That was the case.

6320. You applied to such as you thought Conservatives on principle, such as you thought would support a Conservative candidate?—Certainly.

6321. What answer did you get when you applied to such persons as you have last described?—I think in every instance, no; not perhaps in every instance, but in nearly every instance, the party so applied to declined fixing their signatures to the petition; I think there was one in which the signature was affixed, but I am not quite certain.

6322. Can you recollect the name?—The name, I was thinking of it, is Agar; I am not quite sure whether he voted for John Henry Lowther or not.

6323. You are certain that he signed the petition; here I find his name, Benjamin Agar, St. Saviour's-place, currier, is that his name?—Yes.

6324. It appears from the book that he voted a plumper for Mr. Lowther; then there is the name of one person who voted a plumper for Mr. Lowther?—It appears so; I was not aware that it was a plumper for Mr. Lowther.

6325. If it was no reason for that gentleman not to sign that petition though he had voted for Mr. Lowther, probably you thought it was no reason for not asking those persons?—I did not think it was any reason.

6326. With respect to those who refused to sign the petition, what answer did they give you?—The number that I applied to of persons of that character was not great, for I found they declined signing, and then I gave over applying.

6327. Will you state any reasons which those persons gave you for not signing the petition?—One gentleman gave as his reason, that the second petition had, in his apprehension, too much of a party character. I wish it to be distinctly understood that all my answers referred to the second petition.

6328. You thought the first had too much of a party character, and this gentleman to whom you applied thought that even the second had?—He did.

6329. Did he read it over?—Yes.

6330. Did he object to the truth of any of the allegations?—I do not recollect that he did.

6331. In the course of your applications, did you find that anybody objected to the truth of those allegations which imputed corruption to the voters?—I do not recollect any one.

6332. Do not you think that you should recollect if there were such a one?—I have no doubt that I should recollect, for I should at once have endeavoured to ascertain whether it was true or not.

6333. Did any of them suggest that the payments which were made might be for *bonâ fide* services performed by the voter, and not for his vote?—I do not recollect any person.

6334. Should you not recollect if anything so singular had been put forth?—I think I should; I have no doubt that I should.

6335. Should you not have thought that any such person was jesting with you?—I think I should.

6336. Did you call upon a gentleman of the name of Jonathan Gray?—I called at his office.

6337. Did you see him?—I did not.

6338. Had you any conversation with him upon the subject?—Not at that time.

6339. But afterwards at any time did he see the petition?—I will state how I did; I called at Jonathan Gray's office, I think twice, but neither time did I find him, I therefore left the petition with a message which I gave to one of his clerks, that if he approved of the prayer of the petition, I should be glad if he would affix

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his signature to it; the next morning I received the petition from Jonathan Gray, accompanied with a note, stating the reasons why he did not sign the petition.

6340. Have you the note?—Yes.

6341. Have you any objection to produce it?—I have no objection excepting this, I apprehend it was written to me privately.

6342. Is there anything there that either of you has to be ashamed of?—It is for the gentlemen to say, not for me; I am sorry that I cannot ask Jonathan Gray's opinion respecting the production of the note, inasmuch as when I called upon him for that purpose, I found he was on a continental tour.

6343. What is his address?—Jonathan Gray, Solicitor.

6344. In what part of York does he live?—In Minster-yard he lives.

6345. Are his offices in Peter-gate?—Yes, they are.

[*The letter was delivered in, and read, as follows*:]

Dear Sir,

The Petition you have sent me concludes with no prayer; it asks nothing, it suggests no remedy, and appears to me to be intended as an election petition, to serve a political object. I have no objection to sign a petition concluding as in the accompanying sketch.

Yours truly,

Friday. *Jonathan Gray.*

That your Petitioners attribute the existence of these corrupt practices chiefly to that objectionable provision ingrafted into the Reform Bill, contrary to the intention of its framers, for continuing to the freemen of cities and boroughs their elective franchises, without requiring from them any qualification in respect to the ownership or occupation of property, by means of which enactment the poorest and most needful of the inhabitants are exposed to the temptation of bartering their votes for the paltry consideration of a sovereign or a chaldron of coals. That your Petitioners are convinced that no penal clauses against bribery will be of any avail to prevent it, so long as this bad remnant of the old system of representation is suffered to continue. Your Petitioners therefore pray that the freemen of York may be disfranchised.

Jonathan Gray.

6346. That was the objection he had to the petition, that it did not go far enough, and that it was a party petition?—Yes.

6347. Have you any reason to believe that Mr. Gray has altered his opinion since?—I have not.

6348. Should you not be much surprised if he had?—Very much; he is not a man to alter his opinion.

6349. Does he stand very high among his brethren in York, as a solicitor?—I believe he does.

6350. He is a stamp distributor?—Yes.

6351. And a man in high estimation?—Yes.

6352. What is he in his party, do you know; is he a Conservative?—I think he is called so.

Cross-examined by Mr. Wrangham.

6353. Do you know whether he is called a Conservative by the Whigs or by the Tories?—That is a difficult question to answer; perhaps I might say that he is the proprietor, or a proprietor of a Tory newspaper.

6354. Do you recollect this circumstance, that in that Tory newspaper, some years ago he was denounced as no Conservative in that paper?—No, I do not; I am not at all surprised at it.

6355. In point of fact, has he ever to your knowledge taken any part, one way or the other, in York elections?—I do not remember his taking any part in York elections.

6356. By voting or otherwise?—The books will show that; I do not know personally at all; for the only time I ever heard of his voting was in the election of 1833, when I understood that he voted for Thomas Dundas; I am not sure that that is the case, but I seem to have some recollection of that.

6357. But is he not a stamp distributor in York?—Yes.

6358. And therefore incapable of giving a vote?—I do not know; probably the circumstance to which I allude might be his father; as I do not know his person, I cannot say.

6359. You say that your objection to the first petition was, that it was too partial; will you tell me what is the precise meaning which you attach to those words, being

being "too partial;" was your meaning that it attacked only one party instead of attacking both?—That was one of the meanings.

6360. So that you thought both parties ought to have been petitioned about?—I thought that the corrupt practices ought to have been more strongly insisted on, without such special reference to one particular party.

6361. One part of your meaning, when you said it was too partial, was, that it attacked one party instead of attacking both; did I take your words correctly when you said so? You mean, that if one party was referred to in that way, the other party ought to have been?—I think I can give no other answer than that.

6362. Am I to take it that you thought the petition ought to have attacked both parties instead of attacking one; is that one of your meanings?—Whatever I have said you may take.

6363. The objection of partiality did not strike you in the second petition?—No, it did not.

6364. It did not occur to you that this paragraph was directed against one party and not against the other, "That your Petitioners have very recently heard, on authority which they cannot dispute, that a great number of letters have been sent through the post-office at York to the poor electors who voted for one of the successful candidates, containing one or two sovereigns each, according as the party had given a single or divided vote for a candidate." You have told my learned friend that that referred to Mr. Lowther; did not that occur to you as partial?—No, for this reason; in the prayer of that second petition, or the complaint in that second petition, to the existence of certain corrupt practices, we were obliged to state what those practices were; to the best of my knowlege we have done so; and there was no corresponding practice on the part of the other side.

6365. The first petition states corrupt practices, alleging them to have been committed by one party; were the corrupt practices alleged in the first petition committed by both, and therefore was it partial laying it against one?—I have not that distinct recollection of the first petition to enable me to answer.

6366. You say you declined to sign the first petition because it was too partial; was your objection at the time to sign the first petition, that the practices there alleged were alleged against Mr. Lowther only, when they ought to have been alleged against other parties?—The reason why I objected to sign the first petition certainly was not because it contained that paragraph, the substance of which is in the second; but there were other matters in the first petition which conveyed the idea of the conduct there complained of being the conduct of John Henry Lowther alone.

6367. There is an allegation in the petition about the books being opened, and voters set down by Mr. Lowther and his agents; is that an allegation which you thought ought not to have been made against Mr. Lowther only, but against the others also?—I think it would have been better to have alleged that it was the practice of both parties.

6368. The allegation of liquor in the same way, and people being drunk; do you think that that ought to have been extended to both parties, and not confined to the supporters of Mr. Lowther?—In the second petition I believe it is not so confined.

6369. I am referring to the first petition; it is said, "that liquors were at the last election furnished at the expense of the said John Henry Lowther to his voters and supporters, to such a profuse extent, that there were then more disgraceful scenes of drunkenness in the streets of York than had been witnessed at any previous election during 10 years last past;" applying that alone to Mr. Lowther, was that what you thought partial?—I think it might more particularly attach to the supporters of John Henry Lowther, but not exclusively so.

6370. In short, it was upon the ground of the allegations of the petition being laid against one party, when it ought to have been laid against both or neither, that you declined to sign it?—Yes; those were amongst other reasons why I declined to sign it.

6371. Who drew the petition?—As a matter of curiosity, I will tell.

6372. Tell me?—Mr. Samuel Tooke drew it.

6373. Is he one of the Friends?—Yes.

6374. Did you assist him in drawing it?—He did consult me.

6375. Did you assist him in drawing it?—I scarcely know whether to say that I assisted him in drawing it; he consulted me

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6376. It was assistance which you rendered?—It was the assistance that I was capable of.

6377. You have told us that you took the petition, after assisting in drawing it, round to some of the different parties, and you have told us the nature of the answers you got from some of the Conservatives; do you remember applying to any of the Whig party, who declined to sign it?—I do.

6378. Do you recollect the grounds upon which they declined to sign it?—Unless a particular person was mentioned, I could not.

6379. You have answered my learned friend already, when he asked you what answer you got from the Conservatives; you can do me the same kindness, when I ask you with respect to the Whigs?—If you ask me the names of any individuals I will tell you what those said, but I do not see that I can answer the question generally.

6380. My learned friend asked you what answer you got from the Conservatives to whom you applied; now I ask you what the Whigs told you, as a reason for declining to sign the petition?—I would tell thee everything that I could do.

6381. You do your memory injustice?—I can give thee one answer; I will tell thee the very first that I applied to.

6382. Who is that?—The Lord Mayor.

6383. What was his answer?—He declined signing it, on the ground that he had been a good deal connected with elections, and therefore did not incline to fix his name against this petition.

6384. Was that the only reason, that he had been a good deal concerned in elections; did he say in what way?—I think that was the answer he gave me.

6385. What did you understand from that answer, taking it as the reason that he declined to sign the petition?—I did understand that previous to the passing of the Reform Bill he had sanctioned some of the practices there complained of, and that his sense of delicacy prevented his complaining of them afterwards.

6386. Did he say since the Reform Bill, in his answer?—I am not aware that since the Reform Bill he has taken an active part in elections.

6387. His answer was in reference to elections generally?—I so understood it.

6388. Can you tell us any other answer that you got?—No.

6389. Do you recollect the election in 1832?—Yes.

6390. Who proposed one of the candidates, Mr. Dundas, in 1832, that was since the Reform Bill, was it not this very lord mayor, Mr. Wilson?—It was.

6391. You do not consider that taking an active part in the election?—The mere proposing the candidate was not taking any part in the proceedings there complained of.

6392. But the taking an active part in an election does not imply that you are necessarily guilty of corruption?—No.

6393. Is not proposing a candidate a pretty sure token that the man is a strong friend of the candidate?—Yes.

6394. You presume that he becomes an active party in the election for that candidate?—It would be fair to consider so.

6395. Does not that induce you to withdraw that restriction as to his practices preceding the Reform Bill?—No, it does not, because I am ignorant that he has taken any part in the practices complained of in the petition.

6396. Are you aware that he did take a part in such practices previous to the passing of the Reform Bill?—I understood the ground of his refusing to sign the petition to be almost an admission of that kind.

6397. But the answer declining to sign it did not refer to the date of the Reform Bill, and therefore you have some other reason for being aware that his concern in those practices had stopped with the passing of the Reform Bill?—I dare say that former witnesses have mentioned, that after the passing of the Reform Bill, Thomas Dundas, the candidate that Thomas Wilson proposed, did set his face most decidedly against the continuance of any impure practices in elections, and I have no doubt that the lord mayor coincided with Thomas Dundas, and was therefore no party to any such practices after the Reform Bill.

6398. He objected to a practice after a certain Bill had received the Royal Assent, to which he had no objection previously?—I cannot say whether he had or not any objection previously.

6399. He objected to dirty his hands with it after a certain Bill had received the Royal Assent?—I have spoken my opinion, I believe.

6400. Can

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6400. Can you remember the answer you got from any other of the leading Whigs declining to sign the petition; did you apply or were you present when any application was made to Mr. Sheriff Meek to sign it?—I believe I took the petition to him alone.

6401. Did he decline to sign it?—I am not certain that I asked him to sign it; but I know well enough that he gave as a reason for not signing, that he had been too much connected with elections.

6402. Cannot you recollect a little more accurately the words that were used by Mr. Sheriff Meek?—No, I cannot recollect the particular words; I have stated frankly and fully the sense, that he had been too much implicated in the conducting of elections to put his name to any such document.

6403. You have told us that when the Lord Mayor made the same answer to you, you understood that that was restricted to practices of his before the Reform Bill; did you understand a similar restriction was meant to be conveyed by Mr. Sheriff Meek?—I did not.

6404. Did not what he said induce you to believe that he was speaking of the last election as well as of others?—Yes.

6405. What he said amounted to that, did it?—I so understood it.

6406. Do you remember anything of a phrase of "not having clean hands?"—I did hear that phrase used, but I do not know by whom it was used.

6407. But by some one to whom you applied to sign the petition?—That I am not certain of.

6408. You do not mean to say that you yourself used it or Mr. Sheriff Meek, but that some third party used it?—It was used by some party to whom I applied for signature, but whether it was by Sheriff Meek or some other person I do not know.

6409. Do you remember whether it was one of the Dundas party to whom you applied who gave you that answer?—I should think that it was, but I cannot speak with certainty.

6410. Did you ever hear (we have heard a great deal about rumours and reports in the city of York,) as to an enormous sum of money having been paid to persons by Mr. Lowther and his friends?—I cannot say that I did.

6411. That did not reach your ears?—No.

6412. You did get one Conservative to sign the petition?—It appears so; I thought it was so; I was not certain of the name, there may be others; I am not certain as to the way in which every one of those gentlemen voted.

6413. Was the petition read over to all the parties who were asked to sign it?—In nearly every case.

6414. Can you take upon yourself to say whether it was or was not read over to Mr. Agar when he was asked to sign it?—I cannot.

6415. Were no persuasions used on the part of those presenting the petition for signature?—Certainly not; it would be quite unworthy.

6416. Was nothing said to solicit the people to sign the petition when it was laid before them?—I have answered that question; nothing, unless it was on the ground of morality and christian responsibility.

6417. Those would be topics of persuasion?—It is very possible that they would be.

6418. An able disputant would command them?—Those would suggest themselves and would be employed.

6419. Arguments skilfully used, and appeals to christianity would have a great effect, and such were employed?—There was no personal persuasion at all.

6420. *Committee.*]—Persuasion of moral argument?—Nothing more.

6421. Mr. *Wrangham.*]—Whom did you vote for at the last election?—I mentioned John Charles Dundas alone.

6422. Might I ask you why you did not vote for Mr. Barkley, who came upon principles of purity?—I do not see that it at all bears upon the matter.

6423. If you dislike answering it, I do not know whether it is unfair; but had you reasons for not voting for Mr. Barkley?—If the Committee wish it I will state what those are, but it seems a very indelicate question.

6424. I did not mean to make it indelicate; from your signing this petition you naturally approved of a candidate coming upon principles of purity?—I did.

6425. Therefore you would have voted for him unless some other reason had intervened to prevent your doing so?—I have answered the first question.

6426. Will you answer the second?—Supposing that all the three candidates had been

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been equal, I should have given the preference to those who came on principles of purity.

6427. Mr. *Hill.*]—On the part of Mr. Barkley, I ask you to state the reasons?—I will state them at once; my acquaintance with his qualification was not such as in my opinion justified me in giving a vote, inasmuch as he was comparatively a stranger in York.

6428. Mr. *Wrangham.*]—I believe Mr. Barkley came down recommended by Mr. Allen, who is a distinguished member of the society?—There was a recommendation from William Allen.

6429. Therefore that would be an inducement in the Friends at York to support a person so recommended?—We are accustomed to think for ourselves.

6430. Would it not have some effect?—It would have some influence.

6431. But you abstained from voting for Mr. Barkley because he was a stranger to you?—That was not the only answer I gave.

6432. Yours was longer, but mine is the substance?—No, it is not.

6433. That he and his principles were strangers?—Partly.

6434. Was that the reason? Was one of the reasons why you declined to vote for Mr. Barkley, that his person, his qualifications, and his principles, were, up to the time of his coming to York, unknown to you?—My answer was, that I had not that knowledge of his qualifications and character which, in my opinion, justified me in giving him a vote.

6435. Therefore my version of your answer is, that his qualifications and character were so little known to you that you were not justified in voting for him, and declined to do so?—I had no idea to convey which I have not conveyed in the language I have employed.

6436. Do you dissent from my version?—I prefer my own language.

6437. Do you consent to the understanding which I have put upon what you said? that is a question which may be answered, aye or no.—I have no further answer to give to it.—[*The previous question was read.*]—As I hear the question read by the reporter, I have no objection to answer it. Precisely so.

6438. Do you not think that the same motives may have weighed upon a number of other persons in York for declining to vote for Mr. Barkley?—I think they may.

6439. Have you no doubt that they have?—No, I have not any doubt but what they have.

6440. Since the election at the beginning of this year, you say that you heard of letters being sent; have you or have you not heard of sovereigns being paid on behalf of Mr. Dundas to the voters in Mr. Dundas's interest?—I have not heard of it excepting by representations made by the friends of John Henry Lowther during the course of this inquiry.

6441. Then was that one of the reasons which the friends of John Henry Lowther, to whom you applied during this inquiry, gave for not signing this petition?—No, I do not recollect such a reason being given.

6442. Where was it you heard this of Mr. Dundas paying voters, or of the voters of Mr. Dundas being paid?—It was during the course of the proceedings of this Committee.

6443. Then you had never heard, in the end of the month of March or about the beginning of April, that a great number of voters in Mr. Dundas's interest had been paid?—I had not.

6444. You have heard the fact in such a way that you believe it?—Am I to understand by the sovereigns, money payment of wages to messengers?

6445. That will be a question for the Committee to decide. I ask you whether you have not heard of the voters in Mr. Dundas's interest, after the period for petitioning had passed, receiving payment at the hands of persons belonging to Mr. Dundas's party?—I will answer that as explicitly as I can. I have never heard that any person who voted for Thomas Dundas has received any compensation for so doing, but I have heard that Thomas Dundas employed a considerable number of poor freemen as messengers and runners, and that they were paid for those, which I considered pretended, services.

6446. Do you see any difference in payments made for pretended services, and payments made for no services at all?—No, certainly I do not.

6447. I ask you whether you have heard of payments of that kind being made for pretended services by Mr. Dundas, so as to believe it as a fact?—I believe that I have stated that; I do believe it, though at the time that petition was drawn I was ignorant of it.

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6448. If you had been aware of what you are now aware of, at the time of the petition being drawn, would you or would you not have inserted the paragraph in it, stating the fact and making a complaint?—I think it would not have been necessary to alter the draft of the petition at all; if you refer to that petition, the messengers and runners are not spoken of as belonging to any party exclusively.

6449. *Committee.*]—It was your intention then, in making that reference to the employment of runners, body-guardsmen, &c., in the petition you signed, to include all persons, whoever they might be, who paid money to voters for such pretended services which you reprobated?—It was without any special reference to John Henry Lowther.

6450. And you would not have scrupled to present the same petition if you had known at the time that Mr. Dundas, for whom you had voted in ignorance of that fact, was implicated in such a charge?—Not in the least.

6451. Mr. *Wrangham.*]—Supposing you had been aware, then, of that which you are now, namely, the payment of those men for the election in 1835, would it not occur to you to insert some such clause as this, "That your petitioners have recently heard that a great number of sovereigns had been paid by certain parties in the interest of one of the other candidates who had voted for that candidate, and were paid to them in consequence of their votes?"—No, it would not; so far as I understand it, the sovereigns in those letters were over and above payments to messengers and body-guardsmen.

6452. Upon what did that understanding arise, how did you collect that understanding?—I do not think that I could say how my opinion was formed, any otherwise than as a matter of common report.

6453. Was there any common report of a large number of freemen in the interest of Mr. Lowther having been paid in the same way, as there is now a report of freemen being paid for pretended services by Mr. Dundas?—Most completely, still more strongly.

6454. Did you hear of complaints at the time?—No; I heard reports of the freemen in the interest of John Henry Lowther being paid at an early period.

6455. How long before?—I cannot say with any degree of certainty.

6456. Nearly how long before you heard of Mr. Dundas's being paid?—I cannot state with any certainty, that would justify me in mentioning the precise time.

6457. I want about the time; was it a week or six weeks from the time that you heard of Mr. Lowther's payment till you heard of Mr. Dundas's?—I think I did hear of John Henry Lowther's payment full six weeks before Mr. Dundas's.

6458. When did you hear of Mr. Lowther's first?—I cannot say with certainty.

6459. Supposing it to be six weeks between the two, cannot you give us any notion of the time when you heard of the same payment on behalf of Mr. Dundas?—No, I cannot do it with that certainty which would justify me in speaking.

6460. Was it a month or two months ago?—It is not three weeks ago, not a month certainly; it was in connexion with the proceedings of this Committee.

6461. But the election was in January, and you heard of Mr. Lowther's shortly after the election?—Yes.

6462. Cannot you give us nearer than six weeks?—It is impossible to give you the exact time when this report first came to our ears, at least I cannot do it.

6463. Here is a passage in the petition: "Your petitioners believe that to such an extent does the practice of bribery prevail in elections for the city of York, that the representation of the city may be said to be offered to the highest bidder; and, in confirmation of this opinion, they beg leave to state, that a gentleman much connected with the city and highly esteemed, and who had several times represented it in Parliament, declined to become a candidate at the late election on the ground that he had no hope of success, without having recourse to those corrupt practices." Do you agree with that honourable gentleman in thinking that he had no hope of success, without recurring to those corrupt practices?—I do not think that I have the means of forming an opinion as to whether he had no hope of success.

6464. You signed the petition, did you not?—Yes; the question is as regards the grounds upon which he formed the opinion.

6465. Do you agree in the opinion; it is put forward in this petition with respect to a gentleman, Mr. Thomas Dundas, "to such an extent does the practice of bribery prevail in elections for the city of York, that the representation of the city may be said to be offered to the highest bidder;" do you agree so far?—I signed the petition.

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6466. Then you do agree in it?—Yes, or I should not have signed the petition.

6467. "In confirmation of this opinion, they beg leave to state, that a gentleman much connected with the city and highly esteemed, and who had several times represented it in Parliament, declined to become a candidate at the late election, on the ground that he had no hope of success, without having recourse to those corrupt practices by which elections in York were generally secured, and which after the passing of the Reform Bill he had determined entirely to abandon."—That states his own grounds.

6468. But if the petitioners put this forward as a fact, indicating the corrupt state of York, that a gentleman had no hope of success without having recourse to corrupt practices, do you believe that was the fact?—The petitioners state the grounds upon which he stated that he declined to come forward; the petitioners give no opinion upon that.

6469. But the petitioners put this fact forward of his declining to come forward upon particular grounds, as a proof of the corruption of York; do you agree with this, that Mr. Dundas "declined to become a candidate at the late election, on the ground that he had no hope of success, without having recourse to those corrupt practices;" do you believe that he had no hope of success without having recourse to corrupt practices?—There would be considerable difficulty in replying to the question, supposing that any other candidate should have appeared but the three that did appear; I believe that Thomas Dundas would have been returned in connexion with John Henry Lowther, supposing that he had not made use of corrupt practices.

6470. I am speaking of you at the time when Mr. Dundas issued this handbill, at the time the other candidates were in the field; it is put forward in your petition as a fact corroborating the statement, that the seat is put up to the highest bidder; do you believe that at the time there was no hope of success without his recurring to those practices?—I believe, if it had been known that he would not have had recourse to those practices, his return would have been extremely doubtful.

6471. But you do not go the length of saying that there was no hope of success?—No, I do not; it will be observed that the petition states the opinion of Thomas Dundas.

6472. As a ground of their own opinion, that the seat is put up to sale to the highest bidder, upon what principle then did Mr. John Dundas come forward?—That I cannot reply to, because I do not know.

6473. Have you any reason to doubt, after one brother had retired because he had no hopes of success without recurring to corrupt practices, that the other brother coming forward did not pretend to be so puritanical, so much of a purist?—I really cannot say that; I do not know at all what was the understanding between John Charles Dundas and the gentlemen who went over to wait upon him.

6474. But you were aware of the fact of his brother having retired because he could not come in on principles of purity?—I was.

6475. You yourself were a friend to those principles?—I was.

6476. Did it never occur to you, upon one brother retiring and another coming forward in his place, to inform yourself by some inquiries as to what the principles were upon which the brother came forward?—It did occur to me, and those inquiries I made.

6477. What did you ascertain?—What I ascertained was the understanding that he would come in upon the principles of his brother; but the circumstances which have occurred during the time of the election have thrown some doubt, which made me say that I did not know what was the understauding. Before I voted I did make some inquiry.

6478. And you were told that he came on principles of purity?—I was so told.

6479. Did you hear anything of setting down going on on his part before the election?—I do not recollect hearing of it, although I have reason to believe that it did take place.

6480. Had you not reason to believe it then?—I do not recollect that I had.

6481. Can you give us any notion as to the time when you first had reason to believe that any setting down took place on the part of Mr. Dundas?—No, I cannot.

6482. You heard of Mr. Lowther's setting down?—Yes, I did.

6483. Do you mean that you did not hear at the same time, or very nearly at the

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the same time, of Mr. Dundas also setting down?—I mean to say that I cannot tell the precise time when I heard that John Charles Dundas set down; I cannot tell whether it was during the course of the election or not.

6484. Will you undertake to say that it was not?—No, I will not, because I do not know.

6485. You have told us what your understanding of setting down was?—Yes, I did before; I think I ought to state that I felt myself rather committed for voting for John Charles Dundas, which made me less particular than I should have been; I signed the requisition inviting him to come, and I felt bound in honor to give him a vote.

6486. Why did that make you less particular in your inquiries?—Because I had invited him to come.

6487. You thought no questions ought to be asked?—I felt that I was committed, having signed the requisition; my friend, Samuel Tooke, was still more doubtful, and did not vote, all from the doubt that he felt.

6488. Did doubts then originate in Mr. Tooke's mind previous to the election?—Previous to the conclusion of the election.

6489. Did he talk with you?—Yes.

6490. You are aware of the existence of doubts in Mr. Tooke's mind?—Yes, and doubts in my own, but I was ignorant of the facts.

6491. But at all events the setting down, if you had heard of it, you would not have misunderstood that parties were to be paid for their votes afterwards?—I should have understood that they were to be paid money in reality for pretended services.

6492. You understood that they were to be set down as messengers?—Yes, or as officers of some kind.

6493. After your attention has been called to the subject, can you tell the Committee that you have any doubt that you heard before the election, at or about the same time that you heard that Mr. Lowther was setting down, that Mr. Dundas was setting down too?—I believe it was long after hearing that John Henry Lowther set down, that I heard it distinctly stated that John Charles Dundas had set down.

6494. What were the doubts about that arose in Mr. Tooke's mind and in your own?—From the circumstances that I have adverted to, one brother having declined to come forward upon the reasons stated in the placard.

6495. That would be a doubt to prevent you from signing the requisition rather than from voting?—Samuel Tooke did not sign the requisition.

6496. But you did?—Yes.

6497. Are you speaking as to doubts upon the propriety of signing the requisition, from the circumstance which you state of one brother coming in the place of another, or did they arise from circumstances which were rumoured or transpired after Mr. John Dundas had come to York, and previously to the polling?—The doubts which I adverted to were at the time of polling.

6498. Then they were not arising from the circumstance of one brother having given way and another coming in his place?—They did arise from the circumstance of his having accepted the invitation, and coming after Thomas had retired.

6499. Would not those doubts rather have led you to hesitate to sign the requisition?—Not at all; because we asked him to come forward upon thoroughly pure principles.

6500. And when he assented to it, that raised some doubts in your mind?—It did.

6501. When he consented to come forward on pure principles?—Yes.

6502. *Committee.*]—Notwithstanding you had signed a requisition to Mr. John Dundas to come forward upon principles of purity, were you sanguine of his success if he stood on those principles?—I was not.

6503. But Mr. John Dundas had a better opinion of the people of York than his brother who had retired?—It would seem so; and I think it is fair to say that there was another cause which operated very powerfully in making Mr. Thomas Dundas retire, his vote respecting the freemen.

6504. Will you reconcile what appears an apparent inconsistency in your replies? You have stated that your first knowledge of Mr. Dundas having himself been implicated in those practices which in the petition are reprobated, has arisen subsequently to the commencement of the present inquiry?—I think, if I recollect right, I said that my knowledge of the payment of money by Mr. Dundas had

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arisen since the proceedings of the Committee; that is what I meant to say, and what I believe I did say.

6505. The Committee have understood you also to state, that at the time of giving your vote to Mr. Dundas, in consequence of communications between you and Mr. Tooke, you had doubts whether Mr. Dundas was not committing the payment of money?—Yes.

6506. Does not that appear somewhat irreconcileable?—No; the one was a mere doubt, the other was a knowledge of the fact.

6507. Is the Committee to understand this as the chain of events in your mind, that at the time you engaged to support Mr. Dundas, your notion and belief was that he would stand upon the principles of purity of election?—It was.

6508. That previous to giving your vote, you had doubts whether that principle had not been in some degree compromised by Mr. Dundas?—Yes.

6509. And that since the commencement of the present inquiry, but not before, those doubts were confirmed?—That was precisely what I meant to say.

Re-examined by Mr. Hill.

6510. Having signed the requisition to Mr. Dundas, you did not feel yourself justified in omitting to vote for him upon mere doubts?—That was the case.

6511. Whether you signed the requisition or not, if it had been proved to you that Mr. Dundas had fallen into the practices of setting down, as they are usually understood, would you have voted for him, or should you have considered yourself as bound by your requisition?—I cannot say whether I should or not; I certainly should not, if I had not signed my name to the requisition.

6512. You said that it was in connexion with those proceedings, that you afterwards stated to be the proceedings before this Committee, that you had heard it charged by persons belonging to Mr. Lowther's party, on Mr. Dundas, that he had set down; am I correct?—No, that he had paid money.

6513. Was that the defence which the partisans of Mr. Lowther in the city of York made to the charges in the petitions against them?—It was a usual popular defence.

6514. Does the usual popular defence consist in denying that there was bribery by the Blue party, or in saying that the Yellows and everybody else are as bad as the Blues?—I scarcely ever heard of any one attempting to deny the fact. So far as I know the prevailing opinion of the citizens of York, it is not denying the charge, but in saying that it is general and applies to both parties.

6515. *Committee.*]—But in your moral arithmetic, two wrongs cannot make one right?—No, it cannot; we protest against that mode of reasoning.

6516. Mr. *Hill.*]—Is there a body of persons of different political opinions, and different religious opinions, and different in every other respect but agreeing in this, that exertions must be made to put down the present system of obtaining elections in York by the payment of money. Is there such a body of persons in York or not?—There is such a body.

6517. Is the prevalence of that wish upon the increase or upon the decrease in York?—I think I have not the means of knowing.

6518. Is the gentleman you have mentioned, Mr. Samuel Tooke, a person of station and respectability in the city of York?—He is.

6519. He did not vote at all in the last election?—He did not.

6520. Mr. Jonathan Gray, do you recollect whether at the last election he was agent for Messrs. Duncombe and Walker, the Tory candidates for the county?—I do not know.

6521. With regard to drunkenness, in your opinion, was there more or less drunkenness at the last election than at former elections?—I think that on the evening of the first day's poll there was more drunkenness than I have observed for a great number of years.

6522. Had you the means of ascertaining to what party that imputation of drunkenness attached more particularly?—It did not exclusively belong to one party.

6523. Was one party more deeply engaged in it, according to your observation, than another, and if so, which?—I should suppose, from the number of cards which I saw in the hats of drunken persons, that the party wearing blue cards were the more deeply implicated in it.

6524. The greater number of persons that you saw in a state of intoxication had blue cards in their hats?—Yes.

6525. *Committee.*]—

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6525. *Committee.*]—Were there a greater number of persons with blue cards in their hats than with orange, whether drunk or sober?—I think the number was pretty fairly divided; I think the numbers were pretty much the same.

6526. Mr. *Hill.*]—Did you see a greater number of those who had blue cards in their hats drunk, than those with orange?—It is my opinion, as I have stated, that there were a greater number with blue cards.

6527. Mr. *Wrangham.*]—Are you aware which was the greatly triumphant party at the close of the first day's poll?—I believe John Henry Lowther.

6528. He was 1,000 and odd, and the next man was only 600?—I do not know the exact numbers; he was considerably above the others.

6529. Was he, in point of fact, clearly the victorious candidate at the close of the first day's poll?—Decidedly so.

6530. Would you not think it, according to the ordinary course of human affairs, natural that the triumphant party should get into their cups over their victory?—Perhaps they might.

6531. You say there were more with blue cards drunk than with orange, and you say that there were as many blue cards as orange about the town generally?—Yes, that is my opinion.

6532. Mr. Barkley's party had no cards at all?—I think they had.

6533. Are you sure of it?—My impression is so.

6534. Did they not wear blue cards too?—No.

6535. Not light blue?—No; I think he had no blue, but white ones.

6536. If it had been said that they wore light blue cards, it is not correct?—I cannot charge my memory; but my impression is that they had white cards; but you may easily get to know.

6537. Supposing that they had had light blue cards, would the colour of their cards be so easy to be distinguished by the shade of the two lights or lamplight, as to enable you to say which it was?—There was no difficulty in distinguishing those parties.

6538. I am speaking of the cards; would it be very easy to distinguish the cards?—I do not recollect any light blue car dworn by Mr. Barkley's party at all.

6539. If there had been a party that wore light blue cards, might you not have mistaken a man with a light blue card for a man with a deeper blue?—That depends upon how near the colours were to each other; there was no danger of mistaking the men.

6540. Do you remember what the colour of Mr. Barkley's flag was?—No, I really cannot say.

6541. Were you not in the committee-room?—No.

6542. Did you never pass it?—Yes, I passed it.

6543. Did you never see a flag out of the window?—I do not recollect doing so.

6544. Then you cannot tell what the colour was?—No.

6545. Mr. *Hill.*]—Were the names of the candidates on the cards?—They were.

Examined by the Committee.

6546. Have you been in the habit of being about the streets as much in former elections as you were in the recent election of 1835?—I think I have.

6547. You think your opportunities of observation on different occasions of drunkenness were about equal?—I think about the same; they are mostly from my own premises, which are in one of the public situations in York.

6548. Is it your impression that there was a greater extent of drunkenness in the last election than there had been at any former election within your knowledge?—My impression distinctly is, that there was more drunkenness on the night after the first day's poll, than at any one day since I became a resident in York, with one exception; that one exception was a county election.

6549. Taking the comparison between the city election this last time, and the city elections on former occasions that you have observed, is it your impression that there was more drunkenness this last time than on former elections?—There was more drunkenness on one particular day; formerly the elections were longer, and therefore the gross amount of drunkenness might have been greater than on this last election, but I never saw so much drunkenness on any one day as on the first day's poll in the last election, with the solitary exception that I have mentioned before.

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6550. Were you present at the poll-booth on any of those occasions during the voting?—I went to vote myself; I did not remain about the booth.

6551. Did you see any of the voters coming up to the poll in an intoxicated state?—No.

6552. Was your observation of the drunkenness made from your own residence, or in the course of perambulating?—Made from my own residence.

6553. In the present instance and formerly?—Yes.

6554. Then it is possible, though more drunkenness may have been exhibited opposite your own residence, that there may not have been a greater degree of drunkenness in the city?—Yes, it is possible.

6555. Did not the drunkenness of which you speak and which you observed, take place after the election was virtually decided?—It took place in the evening after the first day's poll.

6556. From the result of which first day's poll, it was considered that the election was determined?—Yes.

6557. You speak of comparative drunkenness at different elections, as the facts are on your memory?—Yes.

6558. Would you not be more attentive to what took place at the last election than to what took place on former elections?—I know no reason why I should be.

6559. Did you not take an active part?—I took no part at all; I have taken no part in any elections.

6560. You were understood to have said that the gentleman who is represented in this petition to have declined standing for York, in consequence of conscientious motives, was unpopular at that very time at York, in consequence of some vote or votes he had given in the House of Commons?—I said that was one ground of his unpopularity.

6561. He was unpopular in York at the time that he declined, in consequence of a vote in the House of Commons?—I did say so.

6562. Did it not occur to you in drawing up this petition and in reading it over, that you were suppressing a very important fact when you represented that gentleman as withdrawing from conscientious motives, and did not state to the House of Commons that he was unpopular at York, from particular circumstances, at the time he withdrew, and that his brother stepped into his place?—No, it did not; the act referred to was some time previous; he had been member for York after the time alluded to, and the circumstance of having given that vote alone, would not, I believe, have prevented his re-election in York.

6563. He was not more unpopular at the time of his so declining than Mr. John Dundas. You said that he at that time was subject to an unpopularity to which Mr. John Dundas was not exposed?—I do not know how John Dundas voted on that occasion, and whether the grounds of unpopularity attached to him.

6564. You knew whether in the town of York unpopularity attached to one or the other, in consequence of their votes?—It attached to Thomas.

6565. You do not know whether or not an unpopularity attached to Mr. John Dundas, in consequence of his vote in the House of Commons?—No.

6566. If you knew of no unpopularity in York attaching to Mr. John Dundas, and you knew of unpopularity attaching to Mr. Thomas Dundas, at the time when one gentleman withdrew and the other came forward in his place, would you not have been candid if you had stated that circumstance when you represented Mr. Thomas Dundas as having withdrawn from conscientious motives entirely?—We state in the petition our own opinion; and secondly, in confirmation of that opinion, we give the statement made by Thomas Dundas.

6567. From which facts, you meant it to be inferred by the House of Commons, that there existed corruption in the constituency of York?—We did mean it to be so inferred.

6568. Would it have enabled the House of Commons to have formed a more complete judgment upon the subject if they had known that there were other circumstances in existence which might have influenced Mr. Thomas Dundas in declining to stand for York; do you not think that the House of Commons would have been able to have formed a more correct judgment if they had had all the facts before them instead of partial statements?—I do not see that they could; I do not think the statement is partial at all.

6569. Did you draw up the petition?—I was a party to it.

6570. Did you draw it up?—I did not.

6571. Do you believe that if Mr. Thomas Dundas had given out that he would

set

set down, or had resorted to those practices which had been resorted to before, he would have been elected?—No doubt of it.

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6572. There is one passage in the petition, in which it is stated that "upwards of 1,000 poor voters were engaged in various pretended capacities, such as runners, body-guardsmen, &c. with a view, as your petitioners believe, of securing the votes of such poor electors to the party in whose service they were engaged;" does that allegation refer exclusively to Mr. Lowther, or to Mr. Lowther and Mr. Dundas both?—Both.

6573. It was intended so to refer by the parties who signed that petition?—I believe so.

6574. It was intended to mark the practice that was resorted to by both the candidates?—Yes.

6575. With reference to the sovereign letters, do you recollect the sovereign letters having been sent round in April last?—I have no personal knowledge of it; I heard of them, but I never saw them.

6576. Are there any individuals whom you know, to whom such letters were addressed?—I know some; I cannot say how many; there are such individuals.

6577. Are there any individuals who have spoken to you on the subject of those letters, or to whom you have spoken?—I do not remember any individuals who have received the letters speaking to me upon them, or me speaking to them.

6578. You have stated that that paragraph, that "the petitioners lament to state about 1,000 poor voters," and so on, was meant to apply to both parties; have you or any of the petitioners, to your knowledge, procured any evidence of that fact against Mr. Dundas; have they not confined themselves to Mr. Lowther?—The petitioners to the second petition procured no evidence; we did not consider our allegations specially against one candidate or the other; we are able to substantiate the facts of the petition; we do not consider it partial to one or the other.

6579. Have you, directly or indirectly, taken any steps towards substantiating by evidence against Mr. Lowther, the allegations of those petitions?—No, not myself; I have not at all.

6580. Have you directed the agent to take such steps?—Not any; I do not know how he was appointed.

6581. Have you in any way interfered in the conduct of the proceedings consequent upon the presentation of this petition?—No, not any; we left that to the House of Commons; we stated the fact, and we took care to be satisfied of the truth of the fact.

6582. Have you taken no part in the appointment of an agent?—No, not the least.

6583. Nor the other petitioners?—I cannot say what the other petitioners have done.

6584. Are you aware yourself, of your personal knowledge, that the other petitioners have taken steps for substantiating the allegations of this petition?—I have heard that they have obtained evidence which would enable them to substantiate the statements of their first petition, as a matter of hearsay, nothing more.

6585. Have they appointed an agent?—I do not know.

6586. Did you receive any other letter from Mr. Jonathan Gray than the one you have produced in evidence?—I did not; not any.

6587. Are you aware that any other person who was concerned in preparing the petition has received any letter from him, stating that it was a most unfair and partial statement?—No; I am satisfied that no such letter has been received; if it had been I should have known it.

6588. In your experience of the citizens in York, do you not believe that there is a general desire on the part of all persons, whether they be Conservative or Liberal, to suppress this system of bribery?—I do hope that there are a large number desirous of suppressing it.

6589. Do you believe that there are, among the citizens of York?—I do.

[The Witness withdrew.

Mr. *James Richardson*, was called in; and Examined by Mr. *Hill*, as follows:

Mr. *James Richardson*

6590. YOU are an agent for the parties who appear against this petition?—Yes, I am one of the agents.

6591. Were you engaged at all in the election of 1832?—I was; I was professional agent of Mr. Lowther, along with Mr. Graham.

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6592. We have heard that there was setting down in that election; have you the books?—What I know of that election, of the management of it, I only know as professional agent of Mr. Lowther; and I submit to the Chairman of the Committee that I am bound not to answer any question as to that election.

6593. You object to answer any question at all?—I have submitted my objection to the Chair.

6594. *Committee.*]—Have you no knowledge whatever of the circumstances that occurred at the election of 1832, except such as was derived by you from the professional situation in which you stood as the agent of one of the candidates?—I have none.

6595. Do you know how many persons voted for Mr. Lowther?—I think it is 800.

6596. How many days did the election last?—Two days.

6597. There are then several other circumstances which have not been confidentially communicated to you?—When I was asked the question, I said as to the management of the election.

6598. Mr. *Hill.*]—My question to you is, whether you have the books in your possession in which the setting down took place in the election of 1832?—I can only answer the question by stating what I know professionally.

6599. *Committee.*]—Is the Committee to understand that you decline answering that question, because it may compromise the interest of your client?—I wish to be understood as to the detailed management of the election; I know nothing but professionally.

Mr. *Wrangham* made a preliminary objection to the question put to the Witness, as presuming that the setting down had taken place.

Mr. *Hill* withdrew the question.

6600. Mr. *Hill.*]—Have you in your possession the books of the election of 1832?—I have no books or papers at all in reference to that election.

6601. Have you ever had in your possession the books of 1832?—I believe not.

6602. Cannot you be sure?—I think I can; I might have them for an hour, or a day; but I never had them at all apparently.

6603. What did you do with them when you ceased to have them?—They would be in the box which we had for putting those papers in.

6604. My question leads to this; to whom did you transfer them?—Mr. Graham, as senior professional man, had the custody of them.

6605. To the best of your knowledge and belief, has Mr. Graham the custody of them now?—I have no doubt that he has the custody of all the papers; I do not know what they are.

6606. Relating to the election of 1832?—I should suppose that there would be very few relative to that election.

6607. Do you know of their being destroyed?—I do not recollect their being destroyed; no general destruction.

6608. As far as you know, they are in the possession of Mr. Graham?—Yes; whatever papers there are, they are in the possession of Mr. Graham.

Mr. *Hill* called for the papers, as being in the possession of Mr. Graham, the agent.

Mr. *Wrangham* asked for the notice to produce; he admitted that there had been a summons served upon Mr. Graham to give evidence, and to produce all books and papers, but distinguished that from a notice.

Witness.]—My summons is not to that effect.

6609. Have you it?—No; it is at my lodgings; my summons was not to produce books or papers.

Mr. *Hill* stated, that the summons to produce all books, and papers, and documents in his possession, having been served on Mr. Graham, an agent, he was bound to produce the books and papers in his possession, as the agent, and called for the books.

Mr. *Wrangham* stated, that although Mr. Graham had been summoned as a witness, yet the summons being dated on the 30th of July, it was not a notice to him as an agent.

Mr. *Hill*

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Mr. *Hill* was heard in reply, to contend that the question was a mere question of form, which had no weight, and handed a notice to Mr. Graham, and postponed the further consideration.

6610. Mr. *Hill*, to Mr. *Richardson.*]—When did you last see the books of the election of 1832?—I do not think that I have seen them for upwards of two years; I should think not since within a few months of that election.

6611. Did you give directions yourself to have persons set down at the election of 1832?—Any directions which I gave, I gave as the confidential professional agent of Mr. Lowther, and I submit that I am not bound to answer.

[The Witness withdrew.

Mr. *Hill* contended, that the objection taken by the Witness was to be distinguished from the objection which had been taken by Mr. Short, the clerk of Mr. Graham, inasmuch as this was not and could not be a matter communicated confidentially; and therefore, that the Witness was bound to answer.

Mr. *Wrangham* contended, that the directions of an agent as to setting down must have been confidential, though the fact of setting down may have been notorious.

Mr. *Hill* was heard in reply.

The *Committee* consulted for a short time, and the Chairman stated that the Committee were of opinion that the question could not be put.

Mr. *James Richardson*, was again called in; and further Examined by Mr. *Hill*, as follows:

6612. Do you know of any person from your own observation being engaged in setting down in the year 1832?—I have no knowledge from my own observation, except what I derived as the professional agent of Mr. Lowther.

6613. My question now is confined to what, by the use of your own eyes, you saw, or what you learnt from voters and persons who had no confidential capacity?—I was in the committee-room, and about the premises, as the confidential agent of Mr. Lowther, and could derive no information except what I derived in that way.

Mr. *Hill* contended that the Witness was bound to answer the question now put.

Mr. *Wrangham* supported the objection of the Witness.

The *Committee* consulted for a short time, and the Chairman stated that the Committee were of opinion that the question could not be put, on the ground stated by the Witness, that he had access to the circumstances respecting which he was asked, only as agent to Mr. Lowther.

Jovis, 20° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *Thomas Wilkinson*, called in; and Examined by Mr. *Hill*, as follows:

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6614. ARE you the manager of the Union Bank in York?—I am.

6615. Did you receive a summons from this Committee, desiring you to attend and bring certain books?—Yes, I did.

6616. Have you brought the books of your bank, containing Mr. Hudson's banking account?—I have not.

6617. Were you desired to bring those books?—There was an order to that effect in the summons. I stated to the young man who delivered the summons, that the ledger would be very much wanted, and it was impossible that I could bring it, and he said, "Well, perhaps that may not be of much consequence; there are only one or two items that I wish to ask you a question or two upon." I said, "What questions are they, then?" He said, "I think we can dispense with the books." He then said, "There was a sum of 1,300 *l.* paid by Beckett's to your agents, on the second or third day of April last, I cannot exactly state which." I said, "Well, what further question have you?" He put another question in the same shape, "Was not 1,200 *l.* paid by your agents in town, to the agent of the York City and County Bank?" My reply was, "I think you have got hold of a very curious story, and I cannot recollect anything of the sort; but at all events I will look at my book before I go to town, that I may be enabled to answer the questions if put to me there." That was the whole of the conversation that took place.

6618. Is that all that took place?—Yes.

6619. Have you brought any books with you?—I have a book, certainly.

6620. What is it?—It is a small scrap-book, one of the counter-books.

6621. What does a scrap-book mean?—It is merely a memorandum of the sums.

6622. Is that a regular banker's book; is it one of the regular set of banking-books?—It is not a debtor and creditor book.

6623. Is it a book that is found in all banking-houses?—Yes.

6624. What is the use of it?—It is laid on the counter to put down money that is received.

6625. Is that the whole use of it, to put down in it money received at the counter?—Yes, and money that is sent off.

6626. How did it occur to you that that book would be useful?—It was on account of this question that was put to me by the young man.

6627. Does this book throw any light upon the sum supposed to be paid by your agent in town, to the agents of another York bank?—Yes, those accounts are put in this book, the banker's account.

6628. Then it is not merely an account of money received at the counter, but of something else?—Yes, of exchanges with the bankers.

6629. There would not be much trouble in obtaining Mr. George Hudson's banking account with the North Union Banking Company, either the book itself or a copy of it, would there?—No, certainly not.

6630. As to the book itself, what would be the inconvenience of bringing the book containing the account?—It is wanted every half hour in the day.

6631. What do you call that book?—The ledger.

6632. There is an account at all events opened with Mr. Hudson at your bank?—Yes.

6633. There cannot be much doubt upon that, can there?—No.

6634. Have you any account with Messrs. Beckett & Company at Leeds?—Yes.

6635. Have you any account with Mr. Lowther?—No, none.

6636. Have you any doubt upon that?—I was going to remark, that probably in the confidential situation I hold, I ought to state that I am under a bond of secrecy with respect to the transactions of the bank. Whether or not that binds me here, I cannot say.

The *Chairman* stated to the Witness that the bond of secrecy did not extend to a case where any legal tribunal called upon him to reveal.

Witness.]—I have no particular reason for bringing this forward at the present moment.

6637. Mr. *Hill*.

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6637. Mr. *Hill.*]—Then there is no account with Mr. Lowther, at your bank?—There is not.

6638. Nor with Sir John Lowther, probably?—No.

6639. Is Mr. Hudson the manager of your bank?—He is a managing director.

6640. Did you see Mr. Hudson shortly before you came to York?—I saw him, that was all, when he got from the coach; I live next door to the Swan, where the coaches all come up, and he was not in York ten minutes. I saw him get from the coach into the cab, and "How do you do?" and so forth, passed; I then told him I was going to take his place, and he drove off in his cab.

6641. Had you any conversation with him on the subject of these proceedings?—No, I never had.

6642. Do you keep the book which shows the quantity of gold which you pay out of your bank from day to day, or from hour to hour?—No.

6643. If you make a payment in gold, do you note that fact in your books?—We do occasionally in some cases.

6644. If you make a payment in bank notes, you put down the numbers of them?—Not the small ones; we have the large notes copied.

6645. Suppose there has been a payment of 1,000 *l.* or 1,500 *l.* of notes from your bank, have you any way of stating in what currency that was paid?—No, not always.

6646. With so large a sum as 1,000 *l.* or 1,500 *l.*, have you not the means at an after-period of ascertaining how that was paid, whether in Bank of England notes or in gold?—No; between our notes and gold we never make any distinction; the only distinction that we make is, if it is large bank notes or bills we put down the number of those bills in the counter-book; but we never make a distinction in cash.

6647. When you speak of the counter-book, do you mean the scrap-book?—Yes.

6648. If you pay out to my account the sum of 1,500 *l.*, do you not state in what way that was paid?—No.

6649. You say you have one book here; will you have the kindness to produce it?—Am I obliged to produce it?

Mr. *Wrangham* submitted, that if the Witness were compelled to produce the scrap-book, it ought not to go out of his hands into the hands of the parties, and that the examination respecting it ought to be confined to the particular items.

Mr. *Hill* objected to any terms being imposed upon him, when by law he was justified in seeing the book.

The committee-room was cleared.

After some time the Counsel and Parties were called in, and informed that the Committee had resolved that Mr. Wilkinson be directed to produce and deliver to the clerk of the Committee, for the inspection of Mr. Hill, the scrap-book of the York Union Banking Company.

Mr. *Thomas Wilkinson* was again called in, and, on being informed of the resolution, produced the book.

6650. Mr. *Hill.*]—When does this book begin?—In the present year.

6651. This book contains the money that you pay away at the counter, and the remittances you make, does it not?—The remittances; not all the money we pay at the counter; more particularly the remittances.

6652. What money that you pay at the counter is put into this book?—In case a person has bills and different sorts of money, when we are obliged to put down the numbers, we enter there; but if a person brings a cheque and asks for various money in cash, such as notes, gold and small bank, we give it him without entering it there at all, and enter the cheque in the regular way.

6653. Then this book does not contain an account of all the money paid away from your bank?—No.

6654. And it does not, if I understand you right, contain an account of any sum of money paid at your bank?—Received from customers at the counter.

6655. Does it contain all the money you receive from customers at the counter?—Yes.

6656. If a person brings you 100 *l.* to put to his account, this book would contain that 100 *l.*, would it?—It would.

6657. But this book does not contain any remittances received by you, or remittances made by you?—Occasionally it contains remittances, but very seldom.

 6658. What

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6658. What is the rule which governs you in putting down remittances into this book?—A letter generally comes with the remittance, and it is entered from that letter into the regular cash-book, the day-book, directly from the banker's letter.

6659. Then, if I understand you correctly, this book neither contains all that you receive nor all that you pay, nor all that you remit, nor all that is remitted to you?—Just so.

6660. It is kept by no rule at all?—It is the system that is generally acted upon; we should consider it a very great waste of time if we were to enter the bankers' letters, that is, the remittances from the bankers, in that book; because the letter is put into a certain place, and the letter answers the purpose of that book.

6661. When you make remittances, which you do not enter into this book, where are they entered first?—They are entered first into the cash-book.

6662. What rule do you observe as to entering the remittances first into the cash-book?—If it is one sort of money, such as various notes, we put it down as you see sundries entered in that book, particularly when they are bills that are copied, and those must be paid away from that book.

6663. What assistance did it occur to you that those books would give to the Committee?—That book refers to the two transactions which were named to me.

6664. Point out those two transactions, will you?—[*The Witness pointed out the same.*]—That is the exchange with the City and County Bank.

6665. Under the date of Monday the 6th of April, what is it?—This is an entry of the notes and cheques which they give us.

6666. They pay you so much there on that day, and to balance your account you make a remittance of 1,200*l.* to their town agent; is that so?—Yes.

6667. They paid you 850*l.* of their own notes?—Yes.

6668. And 2,115*l.* in cheques upon their bank?—Yes; and we paid them 1,706*l.* 5*s.* of their notes.

6669. And 2*l.* 10*s.* 6*d.* in money?—Yes, to make it even.

6670. And then you debit yourselves with 1,200*l.*?—We give Williams 1,200*l.* to pay over to the agents of the City and County Bank.

6671. What was the other entry that you thought this book would assist in?—The other question was respecting the money that was received at Beckett's, merely showing how that transaction arose; this does not show the receipt.

6672. Let us see what it is first; which is the entry to which you refer.—[*The Witness pointed out the same.*]—Was that money that you received?—We sent 1,300*l.* to Beckett's.

6673. Are those their notes?—They are Leeds notes.

6674. Through their bank, or any other?—Yes.

6675. Then on Monday the 30th of March did you remit that to them?—Yes.

6676. How did you remit it?—We send by the guards, or by private friends.

6677. It is an actual remittance, and not a mere playing with figures?—It is a remittance.

6678. How was that 1,300*l.* balanced?—They paid that amount in return to Williams's; they occasionally send to us, but very rarely; they generally pay it over in London.

6679. Then it was in reference to those entries that you brought this book, was it?—Decidedly.

6680. Mr. Harwood, you say, has a banking account with you?—Yes.

6681. He is not only a proprietor, but he has a banking account with you?—Yes.

6682. Does Mr. Richardson bank with your bank?—Yes.

6683. Messrs. Richardson and Gold are in partnership, are they?—Yes, they are.

6684. Was there any election account, or any account opened or kept with you with reference to the expenses of the late election?—No.

6685. You know enough of the banking concerns to know that monies were paid out of your bank with reference to the last election?—Not that I am aware of.

6686. Through Mr. Hudson's account?—Not that I am aware of.

6687. You are principal cashier?—Yes.

6688. If there had been any account kept with reference to the last election, must you have known of it?—Certainly.

6689. Do I understand you distinctly to tell the Committee, that you do not know that any payments were made by Mr. Hudson in reference to the late election?—Certainly.

6690. He

6690. He has told us that 1,000 *l.* or 2,000 *l.*, a considerable sum, was paid out for the last election?—Mr. Hudson's account is rather extensive, but I do not ask him what he does with his money, of course.

6691. And you are ignorant of the fact, that monies were being paid by means of Mr. Hudson's account, for the expenses of the last election?—Certainly.

6692. *Committee.*]—Are you aware that the accounts with Messrs. Beckett & Company contain any entries with reference to the election?—No, I am not.

6693. If they did, you would be aware of it, probably?—Yes.

6694. Could Mr. Hudson receive any money from your bank without your knowing it?—No.

6695. Supposing he was to bring bills to the counter, and get them discounted, could he get those bills discounted without your knowledge?—No.

Cross-examined by Mr. Wrangham.

6696. You say that considerable payments have been made by the company to Mr. Hudson?—Yes.

6697. Whether the money paid to him was made use of for election expenses, you are unable to say?—Yes.

6698. Whether it went to his own expenditure, or to election expenditure, you cannot tell?—No.

6699. There would be nothing upon the face of the account kept with him, which would guide the Committee as to the purpose for which the money was employed?—No.

6700. In short, it would be the general account of Mr. Hudson's transactions with the bank, including all his mercantile transactions, as well as his private expenses?—It is his private account, not connected with his trade.

6701. I think I understood you to say, that the reason of your bringing that book particularly, was, that it contained two items upon which alone you were questioned by the agent at York?—Yes.

6702. He telling you that, if you would answer those questions, the books might be dispensed with?—Yes; or something to that effect. I will not say that he said dispensed with.

6703. And therefore you brought that book which could be most easily spared, which did contain the items in question?—Just so.

6704. Let me understand about these two items of 1,200 *l.* and 1,300 *l.*; is it the custom for bankers to settle their exchanges on the Monday?—The York bankers do.

6705. So that on the Monday morning you receive from the other bankers in York, any of their notes or cheques drawn upon you which were in their possession, and would return upon them your notes drawn upon them which were in your possession, and whichever way the balance was, that would be settled by directing the London correspondents to pay over to each other?—Yes.

6706. And those two items of 1,200 *l.* and 1,300 *l.*, about which you are asked for information, do represent exchanges of that kind?—Exactly.

6707. Your account with Messrs. Beckett would be very considerable?—We do not send very regularly.

6708. But possibly during the five months from the 1st of January to the last of May considerable sums would be exchanged?—Yes.

6709. And as I understand you, you are in the habit of sending to Beckett's all the Leeds notes that you have?—When we send to them we send the Leeds notes.

6710. And therefore when you send to Becketts an entry like one of those, which marks the exchange, would not at all inform the Committee, or anybody who looked at the accounts, whether in point of fact the payment had been made to Becketts on their own account, or on account of some other bank in Leeds; but the entry would be an entry of the balance between you and Messrs. Beckett and one side of that would arise from Greenwood's or other bankers in Leeds?—Yes.

6711. And therefore it would not give any accurate information of the amount of money passing between you and Beckett's; it would include the account of other banks?—Yes.

6712. So that if the account were produced between you and any other of the Leeds banks, it would not give an accurate account of the transactions between you and that bank, but it might include remittances made to them, which would ultimately have to be transferred from Messrs. Beckett's bank, if you were going to

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make a remittance to Greenwood's, and you happened to have several of Beckett's notes?—We send them to Greenwood's bank.

6713. Supposing a remittance to be made, or to appear in Messrs. Becketts' account, where it is brought from Beckett's to you, would the purposes for which that was to be applied at all appear upon the face of the account; supposing that Messrs. Becketts, or Messrs. A. B., or anybody else had remitted to you money, which was to be applied to election purposes, would that appear upon the face of the account; or if they had remitted it to you, and required you to transmit it to some customer, would it not appear in that shape?—Yes; we should give him credit for certain money, and place it to the account of the party desiring it.

6714. Could you give any information apart from the account itself, as to the purposes to which the persons to whose credit it was to be placed by Beckett's directions, intended it to be applied?—No.

6715. That would be a matter that would not come to the knowledge of you as the bankers?—Certainly not.

6716. Who was it that told you that all they wanted was those two items?—It was Mr. Cellar, the attorney.

6717. He brought the summons, did he?—He did.

6718. What did he say to you about the books, and what did you say to him; repeat the words on each side?—I said the books were very cumbersome, and that it would be so inconvenient parting with those books, that it was impossible for me to do so, and of course as such I could not obey the strict letter of the summons; and I said "Sit down;" and he said, "I think I can ask you a question or two, which will do away with the books at present," or something to that effect. I did not take any further notice about the books; he then asked if I would answer these questions: Whether the Becketts did not pay us 1,300 *l.* in April, on the 2d or 3d of April; and whether we did not pay the City and County 1,200 *l.* a few days after; and I did not know anything about that. I answered, "Well, I suppose I shall be obliged to go the first thing in the morning in the mail; but I can tell you you have got hold of a queer tale," or something to that effect. I thought it was something curious; I thought they had hold of those exchanges.

6719. Did you know that those items referred to the exchanges?—I knew, when I found out such items, that they referred to the exchanges.

6720. Was it your understanding from Mr. Cellar, that all the information that was wanted was in reference to those two items?—Just so.

6721. *Committee.*]—Have you explained the two transactions of which the agent told you explanation was wanted?—Yes.

6722. Mr. *Hill.*]—Did you tell the agent that those items related to exchanges, or did you explain how they arose?—No, I do not think I did; because I could not say that; I only supposed so in my own mind.

6723. Did the agent tell you that you were to produce the account relating to the election expenses?—No.

6724. And nothing about Mr. Hudson's account?—No.

6725. Are you quite sure?—Quite sure, to the best of my knowledge; I am certain.

6726. Are you quite sure that he did not tell you that the gentlemen in town wanted the accounts of Messrs. Beckett's with your bank?—I am very certain that he did not.

6727. *Committee.*]—Your bank is the Union Bank, is it?—It is.

6728. Has Mr. Hudson an account with you; you stated that he had?—Yes.

6729. And Mr. Harwood also?—Yes.

6730. Distinct accounts?—Yes.

6731. When payments of sovereigns are made out of your bank, are such payments entered into the book which you have produced?—No; when we receive a cheque, we very seldom put down what that money consists of, if it is all cash; that is, if there are no bills; we put them down if they are bills, but if it is cash, we put the cheque by, and enter it to self.

6732. You do not record when one of your customers draws a cheque for 100 *l.*, and you give a 100 *l.* bank note for it, or four 25 *l.* bank notes for it; you do not record whether you pay that one way or the other?—If there was a 100 *l.* note, we should; we should put down the number and say "to bank," because it is bills; but if it is in small notes we should not, at least not in all cases.

6733. You would not take the number of the small notes?—No, we do not copy the small notes.

6734. Then

6734. Then you have no record of the particular manner in which you pay small bank notes in exchange for the cheques drawn upon you?—No, we call it all cash.

6735. Whether you pay in 5 *l.* notes or in sovereigns, you call it payment in cash?—Yes; if we give a person 50 sovereigns and 50 notes, we very often call it notes.

6736. Do you pay any cash without receiving the cheques?—No.

6737. You preserve all the cheques that you receive?—We keep them until we balance the account every half-year, and then they are given up.

6738. Have you the cheques between April and June in this year?—No.

6739. You consider your notes and your gold in your books as coming up to the same head?—Yes.

6740. And never make any distinction when you pay them away?—No.

6741. Do you deliver the cheques up to your customers?—Yes, when the book is made up on the 30th of June and the 31st of December, for which we take the acknowledgments.

6742. Then the cheques that Mr. Hudson gave to your bank for the last half-year have been delivered up to him?—Yes.

6743. Then, assuming that there had been a large payment of sovereigns made out of your bank in April last, to the amount of 1,000 *l.* to any of your customers, your books would not contain any specific record of it?—No, we might say "money" probably; I do not mean to state that every account is so particular as that.

6744. Supposing that any one of your customers, having 1,000 *l.* in your hands, drew a cheque upon you, and received 1,000 sovereigns, would there be no particular record of so large a payment in sovereigns?—I think in that case we should say "in money," that is, sovereigns.

6745. You would consider the payment of 1,000 sovereigns as a particularly large payment of sovereigns?—No, not particularly; we very frequently prefer paying large amounts in sovereigns instead of sending them to Leeds.

6746. Have you a surplus of sovereigns?—Yes, and if we give our notes they turn upon us the next day, and we frequently give a great many sovereigns for a cheque, and we are very glad to get rid of those.

6747. What voucher do you retain if you give up a cheque?—We enter a memorandum that the party has received the whole of his vouchers and cheques, and he admits the balance to be so much in his favour or against him on that day.

6748. There are no copies made of the cheques; you do not enter them in any book when the cheques are presented?—We enter them in the cash-book.

6749. You enter the copy of the cheque?—We enter the person's name, of course.

6750. You are in the habit of sending your surplus sovereigns to Leeds?—Yes; they want sovereigns to pay the wages.

6751. Do you ever enter, when you pay a cheque in your own notes, that as money?—No, we should in that case probably say notes.

6752. If they are partly in your own notes, and partly in gold, how should you enter it?—We should call it sundries.

6753. You send your surplus sovereigns to Beckett's, but never receive any gold from them?—No.

6754. What is the view of sending them to Beckett's?—For their wages; we sent Becketts' last week 1,000 sovereigns, and 500 *l.* in silver.

6755. You received no direction from Mr. Hudson as to the application of any monies?—No.

6756. As cashier of the bank, you have the custody of the gold?—Yes.

6757. Do you recollect making any large payment of sovereigns about the beginning of April?—No, not particularly.

6758. You do not remember paying out a sum of 1,000 sovereigns?—No, not particularly; we might do it, but I am sure I cannot recollect.

6759. Mr. *Hill.*]—Can you spare the letters from Messrs. Beckett's?—There are very few of them.

6760. *Committee.*]—Does Mr. Graham keep his banking account with you?—No.

6761. Mr. *Hill.*]—Do you know where he does bank?—(Mr. *Graham.*) I bank with the City and County.

6762. Have you printed cheques?—Yes.

6763. Have

Mr. *T. Wilkinson.*

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6763. Have the City and County Banks printed cheques?—Yes.

Mr. *Hill*, with a view to save trouble to the banking company, stated tha he should be satisfied with a copy, if the original books were examined by an agent on the part of the petitioners, of the following accounts: Mr. George Hudson's banking account with the York Union Banking Company, from the 15th of December 1834; the account of Messrs. Beckett & Co., of Leeds, with the York Union Bank, and their original letters, from 15th of December 1834; Mr. Lowther's banking account with the York Union Banking Company, from 15th of December 1834; any banking account with the York Union Banking Company respecting Mr. Lowther's elections of 1832 or 1835; the banking account of Messrs. Richardson & Gold, from the 15th of December 1834.

Veneris, 21° *die Augusti*, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *Hill* begged to call the attention of the Committee to their decision on Wednesday, with reference to the last question that had been put to Mr. Richardson, with a view to understand the principle upon which the Committee had acted; and contended that the principle of an attorney not being allowed to communicate certain information was an exception, and an anomaly to all the principles of evidence, and ought therefore to be confined within most narrow bounds and simply to confidential matters; and to support this proposition referred to Blackstone's Commentaries, to the case of Study *v.* Sanders, in 2d Dowling and Ryland's Reports, and to Buller's Nisi Prius Cases; and further contended, that in the case of elections, when an attorney need not be employed, but when any other person may be as agent, the exception should be less regarded than in ordinary cases in which attornies or counsel could alone be employed, and that the attorney was not bound to conceal a wicked secret communicated by a client for the purpose of committing crime before committing it.

Mr. *Wrangham* was heard to contend that the principle of restriction with respect to an attorney in causes, applied in all its force to attornies in elections, that attornies were bound to conceal all secrets, whether their nature might be innocent or guilty, as otherwise the protection would be of no service to the client; and commented upon the cases that Mr. Hill had quoted, and referred to the case of Gainsford *v.* Grammar, in 2d Cambell's Reports, and a case in 2d Starkie's Nisi Prius Cases, and the Cricklade Case.

Mr. *Hill* commented upon the cases that had been quoted by Mr. Wrangham.

The Committee-room was cleared.

After some time the Counsel and Parties were called in, and informed that the Committee had resolved, that if the Committee are satisfied in any case that the only knowledge the Witness has of any fact upon which a question may be put to him is derived from confidential communication made to him as attorney or professional agent, or from observations which he has been only enabled to make from his being concerned as an attorney, they will not permit such question to be put.

Mr. *James Richardson*, called in; and further Examined by Mr. *Hill*, as follows:

Mr. *James Richardson.*

21 August 1835.

6764. DO you know Mr. Charles Woollens?—I do.

6765. Was he a member of Mr. Lowther's committee at the last election?—I only know that as a professional agent of Mr. Lowther.

6766. Did you attend from time to time the meetings of the committee?—I did.

6767. Supposing

6767. Supposing that you had not happened to be brought up as an attorney and had been in that committee-room, should you not have been just as well able to say whether Mr. Woollens had been a member of the committee as if you had had the learning of Sir Matthew Hale?—No doubt I should, but I do not think that I should have been there.

Mr. *James Richardson.*
21 August 1835.

[The Witness withdrew.

Mr. *Hill* submitted that the question ought to be answered.

Mr. *Wrangham* submitted that it ought not.

The Committee-room was cleared.

After some time the Counsel and Parties were again called in.

Mr. *James Richardson,* was again called in.

6768. *Chairman.*]—This question has been put to you as a matter which you may have observed in the committee-room, and as you did not necessarily make this observation in your character of attorney, I conceive that you are bound to answer the question.

Lunæ, 24° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

The Counsel and Parties called in.

Mr. *James Richardson* again called in.

Mr. *Wrangham* was heard to call the attention of the Committee to the words of their Resolution, and to argue that the witness could not in any way be considered as inculpating himself as a person withholding legal evidence.

Mr. *Hill* was heard in answer, and referred to the case of Lee *v.* Burrell, 3 Campbell, quoted from Starkie.

Mr. *Wrangham* was heard to reply on the case cited.

The Committee-room was cleared.

The Counsel and Parties were afterwards called in, and informed by the Chairman that the Committee were of opinion that the Witness was bound to answer the question.

Mr. *James Richardson,* was again called in, and Examined by Mr. *Hill,* as follows:

6769. WAS Mr. Charles Woollens a member of Mr. Lowther's committee at the last election?—I believe he was.

Mr. *James Richardson.*
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6770. Was he an active member of the committee?—He was, and an active friend of Mr. Lowther's; a member of his committee and an active friend.

6771. Do you know Mr. John Marsh?—The brewer, do you mean?

6772. Yes?—Yes, I do.

6773. Was he a member of Mr. Lowther's committee at the last election?—I believe he was.

6774. The word "believe" implies a little doubt; perhaps you will say directly whether he was or was not?—I have no doubt, I have no document to refer to, neither do I recollect; I knew him as a friend, and an active one.

6775. Who conducted the business of setting down at the last election?

Mr. *Wrangham* objected to the question.

The last Resolution but one read over to the Witness by the Chairman.

Witness.—I can only answer that in consequence of my observation as an attorney and agent to Mr. Lowther.

6776. Were you a member of the committee yourself?—I was not. I was not a member of the committee in 1832, nor in 1835; I do not know that I have been a member of any election committee in York at all, taking from the year 1820.

 6777. Had

Mr. *James Richardson.*

24 August 1835.

6777. Had you not the same means of knowing the conducting and setting down in 1835, as you have of knowing who the members of the committee were at that time?—I apprehend I could only know that because it is part, if there is anything of that sort down, it is part of the detailed management of the election; and therefore my observation would certainly be in the character of attorney.

6778. Have you not the same means of knowledge as to the conduct of the setting down at that election, as you have as to who were members of the committee at that election?—I do not know that I have; for everything of that sort was transacted in the committee-rooms; a person, an active partisan of Mr. Lowther's, may be seen going down to the committee-room, and it may be fairly inferred that he is on the committee; you may know that from what passes in the streets.

6779. Have you not seen, going in and out of the room where it occurred, James Leadley engaged in the business of setting down at the last election?—That question was asked me on the 19th instant, and the Committee decided that I was not bound to answer it; any observations I made as to James Leadley or any other person doing anything, were made in my character of attorney for Mr. Lowther, and I should not have been in this committee-room if I had not been his attorney.

6780. That was the same reason you gave when you were asked if Mr. Woollens was on the committee; now applying your mind to the same means of knowledge you had as to Mr. Woollens being on the committee, do you not know that Leadley was engaged in the setting down at the last election?—I decidedly say that I do not know anything but what I know professionally; I wish to give every information to the Committee I can do fairly and properly, and I hope the Committee will not place me in a situation to be guilty of a breach of professional confidence; the privilege is not mine, but that of my client.

The Committee-room was cleared.

After some time Counsel and Parties were called in, and informed the Committee were of opinion that the Witness had not alleged sufficient ground for refusing to answer the question.

Mr. *James Richardson* was again called in, when the last question was repeated.

Witness.—With every feeling of respect to the Committee, I feel that I am bound not to answer that question. I have no option; I have what I consider a duty to perform; I wish to give every information to the Committee fairly and honourably.

[The Witness was directed to withdraw.

Mr. *Hill* applied for an order to produce the ledger of the York Union Bank, containing the account of Mr. Hudson.

Mr. *Wrangham* explained to the Committee that the reason for withholding the account was not from any disposition to disobey the order of the Committee, but from scruples which, as commercial men, they felt in making public the accounts of their customers without their consent; but on authority being furnished, which would be done by to-night's post, the accounts should be produced.

Mr. *Hill* said, upon this he would not press the application.

Mr. *Wrangham* said he understood the account was just arrived, and it should be produced.

Mr. *Thomas Wilkinson*, was then called; and Examined by Mr. *Hill*, as follows:

Mr. *Thomas Wilkinson.*

6781. HAVE you had a parcel from the York Union Bank?—Yes.

6782. Has it the seal of Mr. Anderson?—Yes.

The Witness produced a parcel, which was opened by Mr. Hill, and which he stated to be the banker's account desired.

The same was delivered in to the Committee: they purported to be "George Hudson's private account, Baker & Blades and Sir John Lowther, bart., with Baker & Blades of Leeds, three accounts."

[The Witness withdrew.

Mr. *Hill* proposed to call John Henry Lowther, esq. a Member of the House, as a witness.

Mr. *Thomas Wilkinson.*

Mr. *Wrangham* objected, on the ground that Mr. Lowther was not a competent witness; he said he would consider the notice orally given to Mr. Lowther, the same as if it had been given him in writing, reserving to himself every objection as to sufficiency and competency.

24 August 1835.

The Committee-room was cleared.

Counsel and Parties were afterwards called in, and informed by the Chairman that the Committee has no reason to believe (but the contrary) that they had power to enforce the attendance of Mr. Lowther, and therefore they declined hearing the arguments of Counsel upon the subject.

Mr. *Hill* stated that he would use every means to obtain the attendance of Mr. Lowther.

Mr. *Hill* stated, that from an examination of the accounts of Sir John Lowther, bart. with Beckett, Blades & Co., he found it necessary to apply to the Committee for the attendance of Sir John Lowther, in order to obtain an explanation of the items.

Mr. *Wrangham* resisted the application.

Martis, 25° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Mr. *Hill* applied to the Committee that they would apply to the House for the means of enforcing the attendance of Mr. Lowther as a witness.

The Committee-room was cleared.

Counsel and Parties were afterwards called in, and informed by the Chairman that the Committee had resolved to decline making such an application to the House.

Mr. *Hill* stated that his clients were satisfied with Mr. Alderman Cooper's certificate to the accounts, and he believed that Sir John Lowther would send a medical certificate of his inability to attend.

Mr. *Wrangham* stated that Mr. Richardson, in consequence of a communication from Mr. Lowther, would waive his privilege, and was ready to be examined.

Mr. *James Richardson*, called in; and Examined by the Committee.

Mr. *James Richardson.*

6764 *. ARE you now prepared to answer the questions you declined to answer yesterday?—Mr. Lowther has released me from any professional feeling of secrecy, and therefore I am willing.

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The *Chairman* informed the Witness that the Committee could not enter into any motives that induced him to decline answering yesterday or to answer to-day, but on consideration of his expressed intention to-day, they were willing to overlook the breach of privilege committed by him.

Examined by Mr. Hill.

6765 *. Do you not know that Mr. Leadley was engaged in setting down at the last election?—Not of my own knowledge.

6766 *. Do you believe he was engaged in setting down at the last election?—I believe he has taken down the names of persons to be employed as messengers.

6767 *. Do I understand you to say, your belief is that Mr. Leadley was engaged in taking down only the names of persons to be *bonâ fide* employed as messengers?—Yes, I do.

6768 *. How many persons do you think he set down?—I have no idea, except what I have heard since this investigation; from his own lips in fact.

6769 *. Did he receive his directions from you?—He did not.

6770 *. From whom did he receive his directions?—I do not know.

6771*. Who

Mr. *James Richardson.*

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6771*. Who had the management of the election?—I was professionally engaged along with Mr. Graham.

6772*. Do I understand you that Mr. Graham had the management of the election?—Yes.

6773*. If you did not direct Leadley to set down, must it not have been Mr. Graham?—I am sure I do not know; I do not think Mr. Graham would have anything to do of that sort, anything more than employing a trumpeter and a flag-man.

6774*. Who had that department, to employ the trumpeters, or to give directions to set the voters down?—It is in evidence in 1832, Mr. Bell was employed in that.

6775*. I am asking you about 1835, not about 1832?—My belief is, that the parties who had been employed in 1832 had gone on in 1835 in a similar manner. That belief arises from what I have heard.

6776*. Did I understand you to say, Mr. Bell would take those matters on him in 1835 and 1832?—I do not know that it appears that Mr. Leadley did.

6777*. You say that Mr. Bell set down in 1832?—So he has proved.

6778*. Knowing it in whatever way you may, I ask you if Mr. Bell had the management of the setting down in 1832?—I have no belief except what is founded on what Mr. Leadley says.

6779*. Were you engaged in 1832 in the same capacity as in 1835?—I was.

6780*. Was it within your department, or Mr. Graham's, to give instructions as to the setting down?—Neither.

6781*. Was it in your department, or Mr. Graham's, to arrange how the voters were to come up to the poll; to make the arrangements of that nature?—Yes, it might be as to the formation of the district committees; to make out street lists and district lists, and to appoint parties to the different departments, to see that they were got up to the poll.

6782*. This being an arrangement of a similar nature, if it did not fall under your and Mr. Graham's department, in whose department was it?—I do not know that it would be an arrangement of a similar nature, merely the employment of messengers.

6783. Who took any part in the directions in this election, or that of 1832, except Mr. Graham and yourself?—It appears that Mr. Bell did, and he was summoned as a witness; and I have no doubt he will give explanation.

6784. Why do you say "it appears;" did you not know it till you came here?—I did not know it till Mr. Leadley said so; I was not aware he had the superintendence in 1832.

6785. Were you and Mr. Graham engaged by Mr. Lowther to conduct the election for him?—Yes.

6786. Do you mean you did not know till you came here, who had the management of such an important matter as the setting down?—It was a very unimportant matter, merely taking down the names of the messengers; it was a matter that required neither Mr. Graham nor myself to attend to.

6787. Were you engaged in the payment of the messengers or of the persons who were paid in 1832?—No, I was not.

6788. Did you give any directions as to the business of the poll?—No, I did not.

6789. Who had that department of the poll in 1832?—It appears, Mr. Harwood.

6790. When you say "it appears," do you mean to tell the Committee you did not know until this investigation took place who had that?—I have no doubt at the time I should know it, for it would be a thing publicly done, but carrying my recollection back, I do not recollect it as a fact, except that it has been refreshed; I may have known it, and no doubt I did; I have no doubt of the fact that Mr. Harwood did do it.

6791. You say that payments were made in 1832 publicly?—Yes.

6792. Were the messengers paid in 1835 publicly?—I know of no messengers that have been paid in 1835; I had nothing to do with it.

6793. Do you know that they were not paid publicly; you having the management of the election would know, would you not, if they had been paid publicly?—I have heard that they have been paid; Mr. Hudson proved it.

6794. Do not trouble yourself to repeat to the Committee evidence which they have on their minutes, but just answer my question. If the messengers were paid publicly

publicly in 1835, should you not have known the fact?—If there had been any great concourse of people assembled together, probably I should.

6795. Have you any doubt that they were not paid publicly?—If they had been paid in detached portions I should not have known it.

6796. Have you any doubt that they were not paid publicly?—I only form my opinion of what I know since I have been here; I know of no messengers being paid, not one, except what I have heard in evidence.

6797. Have you any doubt that no messengers were paid publicly after the last election in 1835?—From what I have heard, I believe the messengers were paid publicly.

6798. Where?—I do not know.

6799. You do not know where?—I am speaking from what Mr. Hudson proved, he proved specific sums paid.

6800. After the last election?—After the last election.

6801. Mr. Hudson mentioned, I think, that the sum of 150*l.* or 160*l.*, or 170*l.*, was paid to the messengers employed; is that the evidence to which you refer?—I forget the amount; it is to Mr. Hudson's evidence; what he proved, to that I refer.

6802. You remember it was to a similar amount?—I think it might be about that, as far as I recollect.

6803. Now, Mr. Richardson, do I understand you to say that the persons whom Mr. Leadley set down immediately prior to the last election, or during the last election, are the persons who were paid with that small sum, that from 150*l.* to 200*l.*?—I really do not know that.

6804. What is your belief upon it?—It depends on the number that were set down.

6805. What is your belief upon it, you having the management of the election?—My belief is, that the persons Mr. Leadley set down must have been paid out of that money.

6806. All the persons?—I do not know that; I do not know how many were set down, nor who they were.

6807. Should you not have been very much surprised to find that from 150*l.* to 200*l.* would pay all the persons that Mr. Leadley set down?—If he set down so many as 700 or 800, which I think he said, it would be a small amount, certainly.

6808. Now, Mr. Leadley was one of your own agents?—He was not; I never employed him.

6809. Have you any doubt that 700 or 800 persons were set down?—I doubt if there were so many.

6810. Do you believe that about the number Mr. Leadley said were set down; have you any reason to doubt the truth of that?—I should doubt if there were so many.

6811. Did that doubt arise in your mind on Mr. Leadley's evidence being given?—Yes. I think the old man was very much confused.

6812. Have you taken any means to obtain the list that was made on that occasion?—No; I never had the custody of the papers, so I informed you the other day.

6813. But as the agent and solicitor opposing this petition, have you taken any means to ascertain the actual list of the persons set down?—No, I have not.

6814. Did this doubt arise in your mind while Mr. Leadley was being examined?—Yes, it did.

6815. Now, do you mean to tell the Committee that you believe that no more persons were set down than would be paid by this small sum that Mr. Hudson has spoken of?—My belief is that no persons were set down but what were intended to be employed.

6816. Now, do you mean to tell the Committee that you believe that no more persons were set down than would be paid by this small sum that Mr. Hudson has spoken of?—I have no belief upon that matter.

6817. Then you have no belief at all upon that matter?—No, I have not.

6818. What number do you think were set down?—I am sure I cannot tell. I think you could not carry on an election properly without 500 messengers; and I can give you reasons if you wish.

6819. How long would they be employed?—It depends upon the excitement that there might be abroad, and the difficulties you have to contend with.

6820. When you say the election could not be carried on, you mean the last

Mr. *James Richardson*

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York election could not have been carried on without 500 messengers?—Yes; I consider you may take it so.

6821. How many days should they be employed?—Why, it is always requisite to have a considerable number round the band to protect them, as flag and banner men, and it is always necessary for the candidate to have a considerable number with him, that they may find out the voters, many of them living in passages and places not easily found, and to be going before him to find out the residence, that the least possible trouble may be given him in getting over the ground as quickly as possible; it is necessary, in district committees, to have, I should say, 50 or 60 at each district committee-room.

6822. How many districts had you at this election?—I think there were six, and a separate committee for each.

6823. That would be 360 of itself?—Yes.

6824. You put down 360 for the district committees?—Yes.

6825. How many to go about with the candidate?—I do not know, I never arranged it; but I fancy that there ought to be a score or two certainly.

6826. What, do you mean to say 40?—Possibly 50.

6827. Well, that is 410; what other purposes?—Then at the polling-booths you of course would want messengers there, and a less number there, without there was excitement at the time; if there was excitement or obstruction to the voters going up to poll, you would want a larger number there, for you are obliged to have a reserve to send if wanted.

6828. How many were required at the last election for the polling-booths?—I do not know; I did not make any regulations on the subject, and I gave no directions.

6829 But you say you were a manager of the election?—My business was in the committee-room, and I never was out of it; I never even went about canvassing myself.

6830. But your business was to make arrangements; what is the proper number for the polling-booths?—I am giving you my idea, not my directions.

6831. Now give us your idea about the polling-booths?—Generally, I should think, 10 messengers to each booth, in ordinary times.

6832. How many booths were there?—There would be as many booths as district committees, that is six.

6833. That would be 60 for the booths?—Yes; you would not want them all; occasionally, sometimes in the afternoon, the excitement is high, and you want more assistance.

6834. Sixty for the polling-booths; were there any other class of messengers; that is 360, 50, and 60?—How many are there? did I mention those for the band? there would be the attendance on the band, but I have no idea how many.

6835. Yes, you have the same as about the district committees?—We know, if a committee-room were attacked, what number could defend it. Sometimes, I believe, they divide the band into two parties, then of course they would want a double set.

6836. Now I want to get a notion?—It depends on how many banners we had.

6837. You have been acquainted with the York election all your life, have you not?—No, I never was connected with it till the year 1832.

6838. But you are a York man?—No; I was deputy sheriff in 1830; I had nothing to do with the election.

6839. How many bands had you?—It was one large one, which was divided.

6840. Then we will call it two; how many attendants did that require?—In my own opinion there ought to be 50 to each.

6841. You have got 570; do you think that a proper number?—I do not think they could do with less, *bonâ fide* employed.

6842. There might be 570 persons *bonâ fide* employed?—Yes.

6843. Now this 570 on an average, how long would they be employed?—They would be employed at different times; it depends on when those who went about with the band, when the band was called out.

6844. But the question points to the last election?—I do not recollect how many days the band were called out.

6845. You can tell what was a fair average on those 570; a fair average of their employment; would 10 days be enough?—I have no doubt they would.

6846. And it would be proper to pay them for *bonâ fide* employment for the 10 days?—I do not think it would compensate them.

6847. Take

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6847. Take 15 days then?—I think it would possibly be too much.

6848. Well, strike your own average then; what do you say to 13 days?—It is impossible to state to a day.

6849. No, I do not ask you that; I ask you for an average; you say 10 is too little, and 15 is too much?—No, I did not say it was too little; I did not think it would compensate them.

6850. What would it be fair to pay them?—You may take it at 10.

6851. Do I understand that 10 would be the time they are actually employed in the service of the candidate; is that so?—Yes; on the average, possibly I should say it would.

6852. You say 10 would not compensate them; what do you mean by that?—Why, because at these times the men are led from their homes; possibly if they were to get even more per day than at other times, it would not be so well for their families.

6853. Because they employ their time in drinking?—They do not spend their time so profitably.

6854. You mean they drink their money?—Yes, they certainly are led into company.

6855. You mean they get drunk, do you not?—Why, when you put that question to me, I have a strong opinion on the subject of drunkenness.

6856. Is going into company mischievous unless people get into liquor by it?—There are many definitions of drunkenness.

6857. Do not they get a good deal of liquor?—I should say they would get more than at ordinary times.

6858. Has it been the habit to pay them for more days than they were actually employed, with reference to those temptations into which they were thrown?—I do not know that.

6859. When you say 10 days would not compensate them, is it usual to pay for more days than they are actually serving?—I do not know that.

6860. Not one way or another?—No.

6861. What is your belief upon that?—I was never concerned in the payment of any messenger whatever, and I have no belief whatever.

6862. What is the daily sum that a messenger has, is it 5*s.*?—I think it would be, or 3*s.* 6*d.*; I do not know which.

6863. Well, that is rather singular; you, as the director of the election, do not know if 5*s.* or 3*s.* 6*d.* is the messenger's wages?—Yes; but I have declared that I had nothing to do with the messengers nor their wages, directly or indirectly.

6864. Who is it that fixes the sum?—I do not know; it appears it has come through Mr. Hudson, who had the money to pay them with.

6865. Taking it at the lowest rate, 3*s.* 6*d.*, that is 30*s.* for the messengers, for each messenger; on the average, you say there might be at least 570, that is 570 times 30*s.*, that is you know a long way towards 1,000*l.*?—Yes, it would be so.

6866. How can you then think that the messengers could be paid out of that small sum of money which Mr. Hudson mentions, of not quite 400*l.*?—I did not even express a belief; that which I said was, that the money Mr. Hudson alleged to be paid was paid among the messengers.

6867. You do not believe the messengers were paid out of that small sum of money, do you?—I do not believe that that number could be paid.

6868. You believe that that number at least were employed; you said so; was 570 the number which in your belief was the number employed?—I declare I do not know, for I was not out of the committee-room.

6869. What is your belief?—That they might want that number.

6870. Do not you think they would have it, what is to prevent their having it?—I do not know.

6871. You know of no obstacle, if it was required?—No.

6872. Do not you believe they had 570?—It is very possible they might; I do not know of my own knowledge; I am only giving what I think is an average.

6873. You believe 570 were required; and you know of no obstacle to their obtaining 570?—No, I do not.

6874. What is the way of paying messengers, are they paid according to their strength, or the length of time they are actually employed, or how?—I never was

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engaged in the payment of them; I do not know; I never had the settling of what they were to have, or anything about it.

6875. Do you happen to know if the messengers at York are sometimes paid more when they give a plumper vote, than when they give a split vote?—I have heard that remarked; and I will give you the reason why the persons who you may say are devoted to the candidate are generally employed for a longer period, and considered to be so; the voters are supposed to have a preference over other persons in the employment.

6876. When this arrangement was made, as to how long a person was to be employed, how did he know?—I do not know that any arrangement was made.

6877. You have no reason to believe that any prior arrangement was made?—No, I have not.

6878. Is this the way, that each person does what he can, and has what he likes, and when it is all over he is paid according to the mode in which he has voted, so much if he has voted a plumper, and so much less if he has voted a split vote?—No, I do not know that it is.

6879. You do not know that that is the way?—No.

6880. Was not that the way in 1832?—I declare I do not know.

6881. You do not know?—No, I was not there; there was a committee spoken of as having decided what they were to be paid. I was not at that meeting.

6882. Was it not as notorious as the sun at noon-day, that after the election of 1832 the messengers who had given plumper votes were paid 3 *l.*, and the messengers who had given split votes were given 1 *l.*?—No doubt they were paid 5 *s.* a day for 12 days, and I think they were very ill paid too.

6883. Was it not as notorious as the sun at noon-day, that after the election of 1832 the messengers who had given plumper votes were paid 3 *l.*, and the messengers who had given split votes were given 1 *l.*?—It was known to be so, that the messengers were employed.

6884. That being so, will you reconsider your answer, when you said you did not know that the messengers were paid according as they had voted?—I will give you the reason; the reason is that certain persons were employed for a longer period than others, and if they were not so, it would not have been in accordance with what had been intended by the parties who had done it.

6885. Do you know of any arrangement at all, by which in 1832 plumper voters were employed just three times as long as split voters?—I did not know of that arrangement.

6886. Do you believe that the plumper voters were actually and *bonâ fide* employed in the business of the election of 1832 three times as long as the split voters?—I do believe it; and I believe they had very arduous work to perform.

6887. Do you know that a person who had given a split vote was only employed one-third of the time of a person who gave a plumper?—It is my belief; I have nothing to do with the fact itself.

6888. Do you understand how that was managed, since there was, according to your account, no prior arrangement by which the contract was made; how was it managed that a plumper voter worked three times as long as a split voter; how would that be carried out in practice?—I have no doubt persons who intended to give split votes set themselves down as messengers to the other candidate for whom they intended to vote, and that they would be partially employed.

6889. That is your way of accounting for it?—It is.

6890. But to bring themselves level, they ought to have set themselves down for two candidates?—I do not know the reasons, I am only supposing this was so.

6891. Was it known while the election was going on, that the split votes would be 1 *l.*, and the plumper votes three times as much, namely, 3 *l.*?—Not that I know of.

6892. That was by a resolution of the committee afterwards, was it not?—So I have heard.

6893. And so you believe?—And so I believe; I have no reason to doubt it.

6894. Have you any means of explaining to the Committee, then, how it was that this arrangement not having been made till all the work was done, the workmen so exactly conformed to that unknown arrangement, that the split voters just gave one-third of the service that the plumper voters did?—I should give this explanation, that when you employ a large number of men, without you have an overseer to minute them, it is totally impossible to know the precise period each individual

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individual is employed, and I can only therefore assume that the parties who decided they were to be so paid, would strike an average to the best of their ability as to the time they were employed.

6895. And that that average was governed precisely, in every instance, in the way in which the party voted?—It does not appear to be so; if they voted otherwise they would pay 1 *l.* 10 *s.*

6896. But it appears they paid the same sum to each split voter, and the same sum to each plumper voter?—Presuming that they were engaged those times, as nearly as I can calculate, I presume that has been the feeling. But, as I stated before, I was not there.

6897. Pray did you ever hear of a person who had a vote, and who went, or was carried, to have his name set down, being refused because he was not able to fulfil any of the duties of a messenger?—I never heard of any persons going to set their names down; I had nothing to do with it.

6898. You never heard of any person being refused?—No.

6899. Nor of a direction to refuse?—No.

6900. Nor to select?—No.

6901. Nor have you heard that any directions were given?—No.

6902. Then am I correct in supposing that, after having called your attention to these particulars, you are still of opinion that the 3 *l.* and 1 *l.* given in 1832 were given for services actually performed, and not as a remuneration for votes?—I believe they were given for services performed; and I will add, that the parties were very badly paid.

6903. The only fault of the arrangement was, that they were not paid enough?—I think they were very badly paid, if the other is an inference.

6904. Do you believe that those messengers which, according to your notion, might have amounted to 370, have been paid for their services, speaking of the election of 1835?—I have no belief on the subject. I had nothing to do with it except what has arisen on this petition.

6905. However your knowledge has arisen, what is your belief as to whether the messengers of 1835 have been paid or have not?

The question objected to by Mr. *Wrangham.*

The Witness withdrew.

Mr. *Hill* is heard in answer to the objection, to say that he was trying the credit of the Witness.

Mr. *Wrangham* was heard in reply, to contend that the Witness was being asked his opinion of the evidence, which was the province of the Committee, and not of the Witness.

The Witness's evidence was read over.

The Witness was re-called.

6906. You are an inhabitant of York, we have heard?—Yes.

6907. Were you at York principally the principal part of your time from the last election to the commencement of these proceedings?—Yes.

6908. With the occasional absence of a few days, I think we have heard?—I do not know that I was absent.

6909. Then you were there altogether. What I ask you is, as an inhabitant of of York, forming the best judgment you can, do you believe the messengers, according to your idea, amounting to 570, have been paid for their services at the last election?—I declare I have no belief as to the number who have been paid.

6910. You believe that all the messengers, be their number what it may, have been paid?—Why, I should believe that they must have been paid, because I do not think that any persons would be so engaged without being paid.

6911. When do you think they were paid?—I have no notion except from what I heard from Mr. Hudson.

6912. Do I understand that the payment of the messengers to which you now refer is the payment made by Mr. Hudson?—Yes.

6913. Then with the exception of the payment made by Mr. Hudson, do you or do you not believe that the messengers have had any further payment?—I do not know; I have no belief upon that subject. I know nothing except what

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I know from Mr. Hudson's evidence in that respect, and that was never communicated to me.

6914. You have not heard of any further payment?—Except what I have heard here. I do not know to what you are alluding.

6915. To what do you suppose?—I think you intend to allude to the letters.

6916. I ask you whether the messengers have had any further payment?—Not that I know of.

6917. Have you not heard of any?—No, I have not heard of that, except what Mr. Hudson stated.

6918. You have told the Committee you think the messengers very ill paid in 1832; does that apply both to plumpers and split votes?—Those employed.

6919. Does that remark of yours about the messengers being ill paid apply both to plumper voters and split voters?—Yes.

6920. Did you mention at the time that they were very ill paid?—No, I had nothing to do with it.

6921. Did you know of any directions being given to pay them better in 1835?—No, I did not; I know of no directions either in 1832 or 1835.

6922. What should you think would be proper to pay the messengers, in your opinion?—Do you mean per day? I should think a man ought to have 5*s.* a day.

6923. And how many days, on the average, would it be right to employ the messengers?—It depends on a variety of circumstances.

6924. Speaking of the last election?—It is impossible to say, except to take an average.

6925. Well, upon an average?—Some parties might be employed more than possibly the average, that would be struck afterwards; some might be employed rather less; it might happen one man might get one or two day's pay too much or too little; and on the average possibly injustice is done to some parties.

6926. That is your reason for giving the average; now I want the average?—I think I gave it at 10 days.

6927. That was the time you thought the persons would be actually employed; but can you distinguish between that and the time you thought they ought to be paid?—I do not make any such distinction.

6928. You said that that would not compensate them?—I said it would not compensate them fully.

6929. Do you think they ought to be compensated for their time like other persons?—A person is entitled to be paid for his services.

6930. If payment for 10 days would not compensate them fully, what would?—I can only give an opinion; it is impossible to say; I said, I should take the average of 10 days.

6931. Did I understand you correctly to say, you thought a payment for 10 days would not be a full and fair compensation for their loss?—You understood me; I intended to convey the meaning; but they would be poorly compensated by 10 days' pay.

6932. Then they would not be fairly compensated. What number of days would fairly compensate them?—It is impossible to say; I have given you as nearly as I can the average.

6933. (*Refers to Mr. Hudson's Evidence.*)—Will you just attend to these questions and answers given by Mr. Hudson: "Were not all the names of the messengers given to you, or the major part?—Yes, for payment of the election of 1835. What was it, a written list that was given you?—There might be some 20, I think. Have you got that list?—No. About 20, you say?—Yes." Then he is asked what he paid: now you have said, that in your opinion 570 messengers would be required, and that you do not know why they should not be had; you perceive here, Mr. Hudson speaks of 20 messengers; can you explain to the Committee the difference between your evidence and Mr. Hudson's?—No, I have given mine; Mr. Hudson must explain his own.

6934. You said you had the direction of the election; did you make any payments at all?—No.

6935. Not at all?—No.

6936. Had you anything to do with the funds?—Nothing.

6937. What, did none of the monies for the last election pass through your hands?—No, I do not think they did.

6938. Have

6938. Have you any dealings with Mr. Hudson except as regards election matters?—Yes, I have dealings with him.

6939. As a draper?—Yes; not very extensive dealings of that sort.

6940. Are those the dealings to which you refer?—He is a client of mine also.

6941. Now, have you had many dealings with Mr. Hudson in the course of this year?—Not many.

6942. I am not speaking of the drapery matters; he has a partner in the drapery business?—Yes.

6943. Mr. Nicholson?—Yes.

6944. Have you received many payments from him in the course of the year; many sums?—No.

6945. Have you received as many as 10 sums from him?—No.

6946. Have you received as much as 1,000 *l.* from him?—No.

6947. Or your firm?—No, not that I know of.

6948. Have you looked over your banking account?—No, I have had no opportunity of doing so.

6949. Nor Mr. Hudson's banking account?—No; I shall be happy to give any explanation of my banking account, as far as I can.

6950. (*Handing an account.*)—Take that account in your hand; I see an item of the 12th January, of 238 *l.*?—Yes, with my name opposite to it, or at least Richardson.

6951. Did you receive that money from Mr. Hudson?—No.

6952. Then Mr. Hudson did not pay you that money?—No.

6953. The 24th, 78 *l.*?—Yes.

6954. That you did receive?—No.

6955. March the 14th, 400 *l.*?—Yes, there is that.

6956. That appears to be paid to the debit of a person of the name of Richardson; that is not you, is it?—No, it is not.

6957. Does the same remark apply to March 23d, 100 *l.*?—Yes, it does.

6958. And March 31st, 60 *l.*?—Yes, it does.

6959. The 4th of April, 20 *l.*?—That is here "self."

6960. Then Richardson 40 *l.*, the 9th, 110 *l.*; those are not payments to you?—No.

6961. The 16th, 80 *l.*; that is not a payment to you?—The 16th of what month?

6962. April.—There is no payment on the 16th; on the 10th there is; but you asked about that on the 16th of May; there are two sums, A. L. Richardson, 80 *l.*; one to A., and the other to Richardson.

6963. That was not a payment to you?—No.

6964. Have you a partner of the name of Richardson?—I have.

6965. Did he take a share in the pecuniary transactions of the election?—I think not.

6966. Your belief is that those sums did not apply to him?—They do not.

6967. Have you any means of explaining those sums, as to how they came to be in that name?—It has occurred to me; I can give you what my notion is; that supposing those sums to be employed for election purposes, Mr. Hudson has used my name, in order that he might distinguish in his account what he had applied for election purposes, and has used my name almost as he would use Mr. Lowther's, I suppose so.

6968. Would that account in your mind for his debiting you in his banker's account?—He does not debit me, he merely used my name as a limit, as he might use your name or any individual's, to designate a particular class of payments.

6969. If he filled up a cheque in your name; and that would account for this?—I am assuming that he would be better able to designate what were election payments.

6970. There is no other person of the name of Richardson except yourself and your clerk, that you believe Mr. Hudson would have transacted with, so that those sums would belong to some other Mr. Richardson?—I cannot state that; there is a person of my name at York; but I do not know that he has any dealings with him.

6971. You have given what appears to you as the best solution?—Yes.

6972. I understand you to say, that except the payments to the messengers by

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Mr. Hudson, you know of no other payments made in respect to the last election?—Yes.

6973. We have been talking about setting down; setting down is not a new thing at York, is it?—It has been spoken of by the witnesses.

6974. I am asking you as an inhabitant of the town; supposing you had been out of the room like other witnesses, is setting down a new thing in York?—I must make the distinction which other witnesses have made; but I think I shall not make it exactly in the same way they did. If you mean setting down for votes simply, I attach no such meaning to it; if you mean setting down as messengers, I have no doubt that has been for a considerable time practised.

6975. My question was, was setting down, whether something or other, pretty well known in York a good many years ago?—Setting down as messengers I have no doubt; at the same time I have not been actually employed in elections.

6976. Is setting down a new phrase to you here?—Setting down simply by itself, I should not have known exactly what you meant by it; it is not a phrase I have heard much used except here, and it seems to me to mean something which I did not understand it to mean as a sort of phrase.

6977. Suppose you had heard in the street that Mr. Dundas had begun to set down, should you not have known what it meant?—I should then have inquired what it meant.

6978. You would not have known from that what it meant?—Not used singly in that way.

6979. It would not in your mind at all have touched the probable effect of the election, to have learnt that Mr. Dundas and Mr. Barkley began to set down the last election?—If it had been connected with any previous conversation as to messengers or anything of that sort.

6980. But supposing you get the phrase by itself neat, without anything else to explain it but your general knowledge?—Before I understood the meaning, I should have asked the question.

6981. Suppose you had had that phrase given to you and that alone, namely, that Mr. Dundas had just begun to set down, should you or should you not have known what was meant?—No, not nakedly, it must have been accompanied by some other circumstance, or some other explanation.

6982. Your prior knowledge of the York elections would not have at all assisted you to ascertain the meaning of that phrase, if you had been told in the street that Mr. Dundas and Mr. Barkley had begun to set down?—Not unexplained or nakedly, for my practice at elections is very limited.

6983. You would not have thought it necessary to communicate the fact at all to Mr. Lowther?—If I had heard any doubtful expression regarding any opposite candidate, I should have communicated it to Mr. Lowther's friends, which, as a matter of course, you would communicate from your adversary; I should have inquired into it.

6984. Should you have told Mr. Lowther you had heard a phrase, the meaning of which you could not at all understand, but that Mr. Dundas was setting down?—No, I should not; Mr. Lowther would have said I was very simple to communicate anything of the sort, for he would have said, why did you not ask what they were doing; and I should have done so.

6985. Did you know of any intention to send what we call sovereign letters, before they were sent?—No.

6986. When did you hear of the letters being sent?—I heard of their being sent the very morning they were delivered. I heard it when I came to the office into the town.

6987. You were very much astonished and surprised of course?—Yes.

6988. And your surprise was not at all weakened by the circumstance on the subsequent day of subsequent letters being delivered?—No, it was not; that did not excite any feeling one way or another.

6989. Did you communicate your surprise to anybody?—I understood it was very general, it was a matter of conversation in the news-rooms.

6990. Did you make any other communication except as a matter of conversation?—I do not know; I do not recollect making any specific communication to anybody.

6991. Did you receive any communication from anybody respecting this?—I received communications I should think from scores of people.

6992. What, asking for letters?—No, communications about the letters.

6993. You

6993. You did not take any step in consequence of those letters being delivered?—Certainly not; I was not called upon so to do.

6994. Then you did not communicate with your client, Mr. Lowther, on the subject?—No.

6995. Nor he with you?—I never communicated with Mr. Lowther since the election, except that I might see him personally in York, but not on election matters.

6996. You never sent, nor have you received any communication on the subject?—Why, I am not in the habit of writing to Mr. Lowther.

6997. Do you know if there was a very general impression abroad that they were letters to remunerate persons for voting for Mr. Lowther?—That impression was given.

6998. Do you know if any of Mr. Lowther's friends or yourself took any means to disabuse that impression?—No, I had nothing to do with it.

6999. Nor to your knowledge. Did any other of Mr. Lowther's friends take pains to disabuse people about it?—No, I do not know of it; they did not communicate to me their intentions or acts.

7000. After this I need not ask you; you had not the remotest knowledge of those letters beyond what the public had?—Yes, you may ask me, and you have; I have no knowledge at all.

7001. Is Mr. Carr a client of yours?—What Mr. Carr?

7002. Have you any Mr. Carr, a client?—I do not recollect one.

7003. You do not recollect any client of the name of Carr?—No, I do not.

7004. There is a Mr. Carr whose name appears in your account 80 *l.*; who is that Mr. Carr?—I rather think it is a person at Balne, in the East Riding; I believe it is; it is a purchase a client of mine made of Mr. Carr; I think he paid us the money, and we paid it over to him, and the money was paid, and the transaction was complete, and it would be paid into our account, and we paid to him again when the conveyance was ready. I may add, because I wish to make things plain, you mean Mr. Carr of Michael-gate, who has been examined; I never had transactions with him.

7005. The probability is, it is the name of a gentleman of whom a client of yours made a purchase?—Yes.

7006. Did you hear of the parcels being delivered at the coach-office at the time?—No, I did not.

7007. When was the first time you heard of that?—Some time aftewards.

7008. Perhaps a week or a fortnight?—I could not take on me to say, but it was not a thing that created any conversation at York, as far as I recollect.

Cross-examined by Mr. Wrangham.

7009. You gave us your reason for not being quite *au fait* as to the term of setting down, that you have not seen much of elections?—No.

7010. Not quite so much as your friend Mr. Anderson?—I have not seen so much as Mr. Anderson.

7011. You have never had occasion to give directions for 500 to be sent down to be paid as plumpers or single voters?—No, never.

7012. Did you act as cashier in your house?—No, I did not.

7013. It is your brother?—Yes, he does.

7014. Therefore, you would not have such immediate knowledge of the names and the charges as he would have probably?—No, I never interfere with the cash; I recollect that transaction though.

7015. You are quite clear that the person whose name of Carr appears in the account is not the Carr of Michael-gate?—I am quite sure he is not a client of ours, and we never had a transaction with him.

7016. You are equally clear that the Mr. Richardson, that the name in Mr. Hudson's account, means that the money was paid to a person of the name of Richardson, that he was not you?—Exactly so.

7017. You have been asked if in York you received as much as 1,000 *l.* since January; your answer was, you had not; do you think you could tell us if you received as much as 60 *l.* since January?—I do not know that I have; it may have been money paid belonging to the office.

7018. It was nothing connected with electioneering transactions?—No, it was not.

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7019. You have given us an ingenious explanation why the name of Richardson might appear; is not that entirely a speculation on your part?—It is mere supposition.

7020. I suppose there are plenty of other persons of the name of Richardson in the world?—Yes, it is a very common name in Yorkshire.

7021. And in York too?—Yes.

7022. You have been asked about the messengers, a larger number of messengers being necessary, and you have said you think there were, and such as there were, they were poorly paid?—In 1832.

7023. Now do you mean by that, that they were necessary for the protection of the candidate and his friends?—They were certainly.

7024. For the committee-rooms?—Yes, the committee-rooms, for the committee-rooms were almost every one of them attacked; the one in Sparling's-gate, which was the head-quarters, was nightly assailed; every window, almost every pane of glass was broken, and a considerable body of men were kept in frequently till one or two in the morning, the landlady was under so great an alarm, and on one or two occasions they broke into the house.

7025. Would not that circumstance make it necessary to have a considerable body that you might bring up to your rescue when a storm was attempted?—It was rendered absolutely necessary.

7026. That would extend, though not in so large a degree, to other committee-rooms?—It did; one committee-room in particular was attacked.

7027. Do you allude to Stein-gate?—Yes.

7028. Do you recollect that being broken into?—Yes, I do.

7029. Did not that create a great disturbance and sensation in York, the attack on that committee-room?—It did, no doubt; the committee were under alarm for their lives; there were fire-arms in the hands of part of the mob, and Mr. Harwood, the chairman of the committee in that district, saw it himself; he was not called as a witness.

7030. Do you know of your own knowledge if Mr. Harwood received the most serious injuries?—Mr. Harwood was attacked in the evening, going from the committee-room.

7031. By Mr. *Hill.*]—Were you present?—It was perfectly notorious; if I had been there I might have been murdered myself. Mr. Harwood was attacked going from the committee-room; immediately on leaving the room, he was running down the street and they overtook him.

7032. By Mr. *Wrangham.*]—What do you mean by running down?—They followed after him and knocked him down, and when down he was punched in so serious a manner, that he now wears bandages from the injuries he received.

7033. That is nearly three years ago?—Yes, that was in 1832.

7034. Do you know if his health has been seriously damaged?—Yes, very seriously.

7035. Did you ever hear of such a practice as that of slouching?—Yes.

7036. Do you know that to have been carried on to a great extent at York?—He was attacked in that manner.

7037. Describe as delicately as you can what that is?—They slouch or knock the hat over the individual's head in such a manner that he cannot see or defend himself, and when it is down about his chin, they knock him down and ill-treat him.

7038. That has this advantage, that it prevents any person from being recognised?—Yes; on that occasion of Mr. Harwood being attacked, he did recognise one individual, he had him before the magistrates, and he was bound over to the sessions.

7039. Do you know that that was a practice resorted to by the crowd or mob at York at the election of 1832?—Very extensively.

7040. Directed against Mr. Lowther's supporters?—Against any person who ventured to be out of the committee-room before 11 o'clock at night, was liable to be insulted or severely injured; I never ventured out myself.

7041. Would not that system of terrorism make it necessary to increase the force to be opposed to it?—It did.

7042. Do you recollect also whether the bands and colours were permitted to go quietly about the streets?—No, they were broken, some of the musical instruments were broken; I understood they had to pay for them; I had nothing to do with the paying for them.

7043. So that the drums expired with a groan?—Yes, it introduced harmony afterwards.

7044. About the attack made in the committee-room at Stein-gate, which you have spoken of, who was the person always understood to be at the head of that mob?—Mr. Leman.

7045. Whom have you heard that from?—It is a matter of general notoriety; I know it from Mr. Harwood and individuals in the place.

7046. Did Mr. Harwood tell you in what way Mr. Leman was engaged?—Yes, he did; he was engaged in actually breaking open the door with a shutter which he and some others got under the window.

7047. In what way was he using this?—As a battering-ram in breaking open the door.

7048. Did the George Inn, Mr. Lowther's inn, escape on that occasion?—No, that was attacked also; they broke in there about the middle of the second day; it was after the George had been broken in; Mr. Lowther left the town for fear of his life; I was in the George when it was attacked.

7049. Did you know Mr. Price's house, the banker?—Perfectly well.

7050. That stands at some little distance out of York, does it not?—Yes, a sort of villa.

7051. The mob took the trouble to attack it?—Yes.

7052. Do you remember what the state of the town was as to riot on the polling-days, particularly the second day of polling?—I considered it to be in a state of complete anarchy, so much so that on the sheriff's sending to the George Inn requesting some agent to go to the hustings, I wrote a note to Mr. Rook, declining, and I gave as a reason I dared not venture out of the inn, as the town was given over to the mob.

7053. I suppose the messengers employed by you and by the party for their protection would come in for a little of this rough treatment?—A good deal; they were quite unequal to defend them.

7054. Were they very much maltreated?—Yes.

7055. Is that what you mean when you say they were poorly paid?—Yes, that is what I allude to.

7056. I think I understood you to say, with reference to the payment of the messengers in 1832, that those who were disposed to give plumpers for Mr. Lowther would be more zealous, and would act for a longer time?—Yes.

7057. Those who split their votes, not having any strong political feeling, would be slack in their attendance for a more limited time?—Yes.

7058. On that, then, when it came to the question of paying them, from the difficulty of deciding whether John had worked 15 days and William only nine, an average was struck on those who had attended the longer time, who were the real partisans, the plumpers, and 12 days were given to them?—So I understand and believe.

7059. And for those who attended much less, an average of four days was struck?—So it appears, and I believe it was so.

7060. Is it not within your experience and belief that those who gave plumpers to Mr. Lowther did attend a very much longer time than those who gave him a split vote?—I have no doubt of it.

7061. Then, as I understand you, striking the average would give an appearance of uniformity of payment to each; and that such an appearance, if an account had been kept every day, would not have been so?—Yes; it would have been impossible.

7062. As I understand, you would have wanted the means of checking by the staff to superintend the men with?—Yes; precisely so.

7063. We have heard what Mr. Hudson said about having messengers; should you not suppose that there had been some special messengers employed for some particular purpose?—I have no doubt these would be engaged as bill-stickers, and immediately about the door of the committee-rooms.

7064. Either in 1832 or 1835, 20 would have been a number of messengers perfectly ridiculous?—Quite so.

7065. You have told us these matters that occurred in 1832, and the riots, and the danger, and almost the bloodshed which occurred there; would not that be a circumstance, when another contested election came on in 1835, which in your judgment would render it necessary to employ a vast number of messengers

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to prevent the occurrence of such scenes?—It would be a circumstance which would induce the parties to have a sufficient force for any contingency.

7066. Was it not the custom, as far as it could be done, and as far as you could know, to be sure that these people were ready for the service, for some persons to call them over in the morning?—I always understood it was.

7067. So that the parties might be able to judge whether the persons attended in virtue of their employment as messengers?—Yes.

7068. You have said 50 or 60 might be necessary at each of the district committee-rooms?—Yes.

7069. Might not many of these be employed as guides in the canvass, hunting about after obscure voters?—Yes; of course they would have the sheets brought from the polling-booth; the gentlemen of the committee would see who remained unpolled who had promised to vote; one gentleman would go up with two or three or four messengers, with a list of a few names, and get them to go to poll; and that would take the number I have mentioned, there is no doubt of it; to do the thing properly it would.

7070. I believe you are the county clerk under the high sheriff at present, and fill the same situation as was held by Mr. Anderson in the year 1830?—Yes.

7071. Do you, as county clerk, appoint constables at elections?—No.

7072. Have you ever heard it is the function of the county clerk?—No; it is the function of the under-sheriff.

7073. You were engaged at the West Riding election as county clerk?—Yes.

7074. That was a very long and a very severe contest?—Yes.

7075. Constables were employed there, I suppose?—Yes; Mr. William Grey, the under-sheriff, appointed them.

7076. You never dreamed of assuming the appointment of them?—Never; any professional gentleman would speak to that.

7077. Now, a person of the name of Walter Carter you recollect being examined here?—I do.

7078. He stated that you had said in his presence, to several gentlemen, in a smaller room adjoining the committee-room, that they were to make it known among your friends that you had a large quantity at your command; that everybody who voted for Mr. Lowther the first day would be put down at once as a plumper; is that true?—It is false.

7079. From beginning to end?—Yes.

7080. Do you remember seeing Carter in this room?—He never was there without bringing a message; he never wrote there at any time during the election.

7081. How many days was he employed?—I know the days he was employed; it was either the 26th or the 27th of December; two days at the end of December. And he was employed on the 1st and 2d of January, and on the 7th of January, after the polling had closed.

7082. Then the 7th of January was the last polling-day?—Yes; he was employed in the afternoon of that day, with reference to sending out notes the following day.

7083. The 6th of January would be the first polling-day?—It was.

7084. Can you take on you to say he was not employed in that committee-room or about it, as a writer, from the 2d of January to the 6th?—I can, positively.

7085. Do you mean to say that he could not have been in that little room or the committee-room, writing out, the day before, or the day before that, or before that preceding the first day's polling?—No, he could not.

7086. Now I will ask you further; I will not limit the question to what passed in that room. Did you at any time or to any persons use those expressions Carter said you used in his hearing, or anything to that effect?—I did not.

7087. You have been employed as agent in 1832, when Mr. Lowther was so far behind, and in 1835, when he was so far ahead; will you tell us what in your judgment was the cause of the difference of the figure which he made upon the poll on these two occasions?—In the year 1832, the Blue or Conservative party were divided into two sections; Mr. Lowther had his one party, and Mr. Bayntun the support of another; Mr. Bayntun came forward in the Blue interest, and the great portion, or a great many thought Mr. Lowther was opposing him,

and

and from very honourable feelings themselves they supported Mr. Bayntun; that number, after Mr. Bayntun's death, joined Mr. Lowther.

7088. Might the majority of those who so adhered to Mr. Bayntun to the exclusion of Mr. Lowther, be of the poorer freemen?—I should think they were.

7089. Mr. Bayntun was very popular with that class?—He was very popular indeed.

7090. On Mr. Bayntun's removal from the world, at this last contest they did join the old Blue party again?—They did.

7091. Was the schism in 1832 so great that you gave any advice arising from that circumstance to Mr. Lowther, as to his standing or not?—I did; I advised him not to stand.

7092. I believe in the year 1832, what is called the Reform feeling, ran very high in York?—Yes, it did.

7093. In your judgment, has there or has there not been a considerable re-action in that respect since that time?—Very considerable.

7094. Have you reason to believe that many persons who then thought any change was a good one, are now rather disinclined to take another view of the subject?—Yes, I think a large portion.

7095. Would not that tend to account for the much increased numbers of Mr. Lowther?—Certainly it does.

7096. Do you believe, do you know or believe that any understanding was come to between Mr. Lowther or his friends on the one side, and the poorer voters on the other, that those who voted for him should receive money for so doing?—There was none; I believe there was none; I say positively there was none, as far as my knowledge goes, and as far as my belief, there was none; I believe there was none.

7097. I will put the same question to you as to 1832; can you tell me if in 1832 there was any understanding or belief that the freemen who voted for Mr. Lowther should receive any polling-money?—No; I have always understood that the polling-money or head-money was done away with in York.

7098. Which was paying voters for their votes after the election?—Yes; I mention that, for it has been stated the reverse way; it had been stated that the messengers' money was done away with, and not the polling-money; I always understood the polling-money was done away with, and the messengers continued to be employed and paid.

7099. Now, when these letters were sent, supposed to contain coin, which were sent through the post-office at York, had you any the remotest means of forming any opinion from what quarter that money came?—No, I had not.

7100. I ask the question, laying aside all professional risk or breach of confidence?—I have done so already. I am sure Mr. Lowther would be no party to any such transaction.

7101. Are you aware that Mr. Lowther——you were in the committee-room when Mr. Hudson gave his evidence?—Yes, I was.

7102. Are you aware that Mr. Lowther, on hearing the circumstance, expressed his surprise?—Except from Mr. Hudson, I have not heard that.

7103. You did not communicate with Mr. Lowther on money matters?—Never in any way.

7104. That belonged to Mr. Hudson's department, as treasurer?—It did.

7105. You have been asked, did you take any step to disabuse the voters as to the money coming from Mr. Lowther; was it any part of your business to assert that it did not come from Mr. Lowther, when you had no knowledge one way or the other?—No, it was not my business, and I took no part.

7106. I suppose if some liberal friend of Mr. Lowther's chose to send two sovereigns to all who did him the honour to vote for him at the last election, you would not think it necessary to disclaim any of the gratitude arising from such a circumstance?—I should have nothing to do with it.

7107. You took no part in it either way?—Certainly not.

7108. Are you acquainted with the hand-writing of Mr. Short, Mr. Graham's clerk?—Yes, I have seen him write frequently.

7109. Are you so well acquainted with his hand-writing as to be able to give a competent opinion as to whether that hand-writing is or is not his?—Excepting from the notes and proceedings from Mr. Graham's office, and at the election, I should not be so certain; I know it generally, certainly.

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7110. Now, I believe you have been one of the commissioners of improvement under the local Act of York?—Yes.

7111. How long have you been so?—Ever since the Act came into operation, nine or ten years ago.

7112. You are also clerk to the market trustees, are you not?—Yes.

7113. And county clerk to the high sheriff?—I am.

Re-examined by Mr. Hill.

7114. You have told us that there was a great deal of terrorism, to use my friend's term, at the election of 1832?—Yes.

7115. There was a good deal of hard fighting, was there not?—Of course; the Blues fought as long as they could; they were not the assailants.

7116. The persons employed as messengers would have some services of danger to go through?—They had.

7117. Now in all that, would there not be some much more conspicuous than others; is it not in York as in other places, that some like fighting better than others?—I believe it is; I am not much among fighting men.

7118. A good deal of personal strength would be required?—For a good fighter.

7119. For carrying banners and flags?—Yes; it depends on the size of the banners; there are many little flags.

7120. But there were large flags?—Yes.

7121. There was a good deal of personal strength required?—In some cases they would require more than one man to carry them.

7122. At the end of the election of 1832, were there complaints that the mode of rewarding services was in the way we have been talking of, 3 *l.* to a plumper, and 1 *l.* to a split voter?—It was well known that was given to the messengers.

7123. Were no complaints made among the messengers of that mode?—I am sure I do not know; I was not employed in doing it; no complaint was made to me, certainly.

7124. You say that it is usual for some persons to go down in the morning, and call over the names of the messengers, to see that they were at their duty?—I said, I understood that to be the practice.

7125. They might have a test for that purpose, might they not?—I should suppose so.

7126. Suppose there was 600 messengers, it would require more than one person to go through that duty?—Yes.

7127. Then it would be a responsible situation, would it not, requiring a person in whom you had considerable confidence?—I never employed a person.

7128. However, in whom the person employing had considerable confidence?—It requires a person of integrity.

7129. Who fulfilled this duty at the election of 1835?—I do not know.

7130. Do you know where these lists are?—No, I never saw them.

7131. Do you know who made them out?—No.

7132. You know nothing at all about it?—No.

7133. Now in these boxes of papers that are brought, is there any list of the messengers?—I never looked.

7134. To Mr. *Graham.*]—Is there any list of the messengers?—(By Mr. *Graham.*)—No.

Mr. *Hill* called for a list of the messengers employed at the election of 1832 and 1835, and also called for the lists that were used by the persons who were sent round to see that the messengers were on duty.

(Not produced.)

7135. Did you see any assemblage of the messengers at any place; did you see them called over?—There was a great crowd always; I could not distinguish who was a messenger, and who was not.

7136. There was no calling over the rolls of messengers at any place where you were?—No, I never saw it; I only speak from what I understood to be the custom.

7137. Where did you say you were stationed principally?—At the George Inn.

7138. Was that the general committee-room?—It was.

7139. You

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7139. You said a great many messengers were necessary for the general committee-room?—Yes.

7140. But you never saw any person assembling the messengers there, and seeing they were all in attendance?—No; I never saw any person endeavouring to get them together. I saw a great crowd there, what about I do not know.

7141. You saw none of these overseers you have been speaking about, to go to ascertain who were the right men, and if they were there with lists in their hands?—No, I did not see any; I do not know any; I only speak from practice.

7142. You have told my friend, as to Mr. Carter, he was not in this private room, except that he came to bring a message; were you in the private room yourself?—Generally, certainly.

7143. Perpetually?—Almost always; our papers were there, and we sat there; if I was out it was only in the general committee-room that adjoined it.

7144. Who used this besides yourself?—Mr. Graham, myself, and my clerks.

7145. Who were they?—Mr. Short and William Routledge.

7146. Who else?—I should say that that was our room; other persons might come in.

7147. But were none of the gentlemen of the committee there?—Very seldom indeed; and if they did, it would only be to ask a question; they did not come there to converse, I had something else to do.

7148. Do you know of your voters being requested to attend the holding up of hands at Mr. Duncombe and Mr. Walker's election?—No; except what I know here, that Mr. Duncombe and Mr. Walker had employed a great many persons in the city afterwards.

7149. You never heard of there being any connexion between the two elections, the city election and the county election, except what you have heard in evidence?—I had no previous understanding.

7150. What is the meaning of that?—You use the word connexion.

7151. What I want to know is this; did you not know, until you came into this room, that there was a connexion between the two elections in this way: the persons who voted plumpers the first day for Mr. Lowther, at the city election, were to be employed to hold up their hands as body-guardsmen, one or both, at the county election?—No; I negative that decidedly.

7152. You never heard of it?—No.

7153. You never heard of it till this inquiry?—The petition was printed in York long before this inquiry.

7154. You never heard of it till you heard of it in the petition?—No, and in conversation connected with the petition.

7155. That would be after the petition?—About the time of the petition they were generally talked about, the grounds on which they were going to petition. I have no distinct recollection of hearing of it, but it is likely I might at that period.

7156. Perhaps there was no notorious rumour in the city of York?—Not to my knowledge.

7157. There could hardly have been a notorious rumour without your hearing of it, you being there the whole time?—I should say there could not; I was employed in the committee-room, and certainly no such notorious rumour reached my ears.

7158. But there was a considerable interval between the election and the preparing of the petition?—Yes, there was.

7159. During that interval was there no notorious rumour in the city of York, that plumpers for Mr. Lowther on the first day had had the inducement held out to them to become plumpers on the first day, by the reward of being employed to hold up hands at the county election?—That would be an allegation from the Orange party.

7160. You did hear of it before the petition?—No, about the time.

7161. You say you never heard of it till about the time of the petition?—No, I did not.

7162. Not till many months after the election?—Not till many months after the election.

7163. That is so, is it?—Yes.

7164. I understand you to say so decidedly, that your first knowledge of this occasion was not till many months after the election?—I think it was to the best of my recollection. I have no recollection now of hearing it for the first time; I have

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have no doubt it was several months after the election, at least some long space of time.

7165. Do you know a person of the name of Lunn?—I know several of that name.

7166. But Lunn, the out-voter?—Where does he live?

7167. Of Stockton, an out-voter?—Yes.

7168. Did he make any complaint to you?—What about?

7169. What he was paid, and what he was not paid?—I do not recollect whether he did or not, I am sure.

7170. Now, do not you recollect Lunn coming to your office and complaining that he could not get paid as one of Duncombe and Walker's constables?—No, I do not recollect that.

7171. Could that have happened without your recollecting it?—It might have happened, but I do not think it did.

7172. Would it not be extraordinary for a person to come and complain to you that he could not get paid as one of Duncombe and Walker's constables?—I do not think it would, for I was known to be on the committee of Duncombe and Walker.

7173. Were you an agent for them?—No, I was on the committee.

7174. Now, do you recollect this person told you he could not get paid as one of Duncombe and Walker's voters, because they said he was an out-voter for Mr. Lowther, and therefore would be paid as an out-voter for Mr. Lowther?—No, I do not recollect that.

7175. Could such a circumstance have taken place without your knowing it?—I think not.

7176. Probably you will be able to say decidedly to the Committee whether or not it did take place?—I believe not.

7177. Will you state decidedly; I need not remind the gentlemen of your profession that such a statement would be under the same sanction as upon an oath; do you state to the Committee decidedly that no person, no out-voter, ever made such a statement to you?—As far as my recollection serves me, certainly I do; I guard it in that manner; your asking about a particular person looks as if you had some information, and it might have slipped my memory; I do not think it has.

7178. Would it be any reason for refusing to pay a person as one of Duncombe and Walker's constables, that he was also an out-voter for Mr. Lowther?—No; I do not know why a person of that sort should apply to me for; I had nothing to do with it.

7179. That being no reason why he should not be paid as one of Duncombe and Walker's voters, cannot you take on you to say decidedly, without a doubt, that you never did give that person money, nor did he apply to you?—To the best of my recollection, decidedly not; I negative it as decidedly as I can, to the best of my recollection.

7180. You cannot go further?—I think if it had occurred I should have recollected it.

7181. By Mr. *Wrangham.*]—You cannot go further?—No.

7182. You say you know Messrs. Duncombe and Walker employed a great number of persons afterwards in the city, tell us what you mean by afterwards; after what?—Duncombe and Walker canvassing in the county were severely attacked going into Whitby; their carriage was broken into pieces; and it was in consequence of that violence that Duncombe and Walker's committee came to that resolution after the York election was finished.

7183. What resolution did they come to?—To employ a constable and a number of men to protect Messrs. Duncombe and Walker.

7184. Have you any reason to doubt they would take those from the partisans of the Blues?—They were sure to do that.

7185. They did not go and engage a number of Yellows to guard them?—No, they would not trust them.

7186. You say you were a member of Duncombe and Walker's committee; were you present when that resolution was come to?—Yes.

7187. And you take on you positively to say there were resolutions to employ those people to hold up their hands, and they were come to subsequently to the election of the city?—Certainly.

7188. You heard that person Leadley examined, the old man, as to taking people

people down as constables; did you ever see any person who was authorized to give directions as to what he described?—Certainly not.

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Examined by the Committee.

7189. You stated that an election at York could not be carried on with under 500 messengers?—Yes.

7190. Do you mean every candidate must have 500 messengers?—I think to do it well; I think to do the business well.

7191. What business?—Canvassing the voters, and getting them up to the poll.

7192. You did not mean that 500 messengers were necessary for protection?—No; not all for the protection, but for assistance.

7193. Who are they to protect; who are the persons likely to assail them?—The opposite party.

7194. Then how do the messengers act who are set down in the books of the different candidates, because you said that some messengers were paid less, for they were put in books of another candidate; how did they act? were they employed to defend both respectively; if they are down in both books, what will they do?—They will be neutral.

7195. What service would he render?—He might be employed in taking messages, if he was neutral.

7196. Is there any arrangement that the plumpers should be the persons employed in protection?—I believe that the voters are employed for that and other purposes.

7197. But only plumpers were employed to protect the candidates?—I believe not; they know from the canvass books who promises, and what the parties intend to do, and therefore they would know the partisans of each candidate.

7198. There seems to have been a serious disturbance expected, that required the employment of those messengers; are they special constables?—No.

7199. Was any application made, or has there ever been made, to the magistrates, to swear in special constables?—In 1832, I believe there was.

7200. Would that afford an adequate protection to the candidate?—No.

7201. You think the peace of York could not be preserved without messengers?—I think if one party attacks the other, the other must have another power to defeat them.

7202. And it is certain that one party will attack the other?—Yes, it was so in that case decidedly.

7203. There is no police there?—Yes, there is, but it consists of only three individuals in a population of 30,000; that is the police under the magistrates' controul; there are night patroles, who were the men who I think in the year 1832 were called out in the evening; eight of them.

7204. But in 1835 there were no special constables?—Not that I know of.

7205. At that time were the disturbances great?—No; that was in 1832.

7206. When was it Mr. Lowther thought his life in danger?—In 1832, when Mr. Harwood was obliged to get out the back way; seeing fire-arms in the hands of the mob, he went directly to the committee-room of Mr. Lowther, and told him his life was in danger. Mr. Lowther ordered post-horses, and went off.

7207. When did you hear that polling-money was done away with in York?—I have always understood so.

7208. That is, you have heard polling-money used to be paid; and you have heard since it has been done away with?—Yes.

7209. When did you hear the latter?—For a series of years.

7210. In 1832?—Prior to 1832.

7211. And the messenger-money was continued?—Yes.

7212. You said a series of years; how far does it go back?—I cannot say, for I did not enter much into elections prior to my being an agent.

7213. Did you make inquiry?—No; what I learnt I learnt in casual conversation.

7214. You learnt that the custom of paying voters after the election was done away with?—Yes.

7215. You have only been concerned in the elections of 1832 and 1835?—Yes.

7216. On these occasions you have heard no polling-money was to be paid?—No.

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7217. You said that you knew nothing of the sovereign letters being sent; if Mr. Lowther had sent them you would know nothing about it?—No.

7218. He might have sent them without your knowledge?—Yes, of course.

7219. Do you know whether the fire-arms you spoke of as being in the hands of the mob were loaded or not?—No, we had no means of ascertaining that; but the circumstances were, that Mr. Harwood was there. There was an individual of the name of Ware, who lives opposite to the house; he pointed to the fire-arms to direct Mr. Harwood's attention to it. Mr. Harwood was at the window looking down on the mob; as soon as he saw that, he thought it fit to make his escape; and on that occasion Mr. Leman saw Mr. Ware make that significant motion, and he called out, "Here is a spy."

7220. This is what you heard?—Yes, and what I believe Mr. Harwood would have proved.

7221. You stated, Mr. Richardson, that you think an election at York cannot be conducted without 500 messengers, and that there were 500 employed actually and *bonâ fide* at the last election?—I really cannot say; my business was in-doors. I say, I think they would be necessary.

7222. Your belief is, that that number of messengers would be necessary?—Yes.

7223. Do you recollect how many polled for Mr. Lowther at the last election?—1,499.

7224. You think a number of messengers, equal to one-third of the persons who actually polled, would be required for the business of the election?—Yes.

7225. What is the special occupation of these messengers?—Some would be employed to go about with the band and carrying colours, some would be employed at the committee-rooms going with messages, or going round with the gentlemen of the committee to get the voters up to the poll, and some at the polling-booths.

7226. Assuming all your messengers are voters, the total number of voters who have to go up to the poll will be the other two-thirds of the thousand?—Yes.

7227. You think it is necessary, in order to get up that 1,000 voters, as many messengers as 500 should be employed?—No doubt, for the persons would send repeatedly, that they might come up; many parties were deterred from one motive or another; and the voters require soliciting at these times particularly.

7228. Were any persons employed as messengers who were not voters?—I do not know of any. I have heard of those in 1832.

7229. Did Mr. Barkley employ messengers?—Yes, I believe he did.

7230. Did he set down?—I do not know; I have heard of some.

7231. The business of bringing up voters to the poll would of course only be carried on on the polling-days?—No.

7232. What would be the use of the messengers prior to the polling-day or after the polling-day, or would they be of any use?—The committees would meet at their rooms prior to the polling, to go over the list to section out the different parts; some gentlemen would take a portion of the street where he knew the names; he would select the street, and he would make himself well acquainted with the residence of the parties.

[The Witness withdrew.

Charles Francis Barkley, Esq., called in; and Examined by Mr. *Hill*, as follows:

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7233. YOU were a candidate to represent the city of York at the last election?—I was.

7234. Soon after the last election was it your intention to present a petition against the election?—I had one prepared and engrossed, and I hold it in my hand; and I will put it in, if you please.

7235. When was it prepared?—Within the first fortnight after the election. The first mention I made of my intention to present the petition was in a slight conversation I had with Sir Robert Sidney, at the Middlesex hustings, when I went down to second Mr. Hume; that was on the Monday subsequent to the York election, which, if I recollect right, ended on Thursday. This petition was first talked of by me, therefore, on the Monday following the York election; for I arrived from York on the Sunday, and it was arranged that I should go down and second Mr. Hume on the following day.

7236. Why was it not presented?—Solely in consequence of the enormous expense

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expense attendant on election petitions, and my not considering that I was bound (as there was some risk) in half ruining myself to serve the public.

7237. We have just heard a gentleman state his belief that you set down messengers; did you set down messengers?—There are two sorts of messengers at York, those who perform real services, and messengers put down for the purpose of influencing the election, and who receive payment without performing service; of this latter kind I employed none; of the former I employed a few, some days two, on other days three, during the day's polling, for the purpose of getting up voters and other such purposes; to the best of my recollection, about eight or 10 men were employed, the necessary number.

7238. Did you employ as many as you found necessary for the purpose of election?—I conceive no person has any business with more than 12 messengers at the York election.

7239. Did you use any cards?—I did.

7240. What?—I left cards at the residence of the voters, and when I called on them for the purpose of canvassing them; I have one such card, which I will hand in.

7241. What is the colour of it?—It had no colour at all; I cannot conceive what business people have with colours at an election.—[*The Witness hands it in.*]

7242. It is a white card?—Yes, I paid for no others.

7243. Were any employed in your service or on your behalf but those white cards?—There were none.

7244. Have you any objection to state your expenses at that election?—Not the least in the world.

7245. Pray, do so?—I hold in my hand a book kept by my treasurer at the time, containing all my election expenses; the total amount was 318 *l.*; but I made two remittances to the Continent, and I conceive the 30 *l.* I gave to the county hospital was not connected with the election in any way; deducting these sums, the amount would be 45 *l.* less than the 318 *l.*

7246. Were there any riots at the York election?—I never saw a place more peaceable till the morning of the nomination, when there is an absurd custom at York of what is called riding the challenge; they put you up on horseback and make you ride through the town. We began this ceremony that morning at half-past seven or eight, in January; you ride through the town with a cocked hat, a band and colours, and every sort of execrable absurdity. On the occasion, such candidates as choose to make a great show are attended by an immense number of fellows, also voters called special constables, and these men are identical with the messengers, of whom you have heard in the course of this inquiry; these men have staves in their hands. On the last occasion (and of course I can only speak of that,) they were about five feet and a half long, and about as thick as my arm. My procession followed in the wake of Mr. Dundas's procession; I was the most reluctant member of the procession. We arrived at the hustings (for that was the end of this journey or progress through the town,) at the time appointed by the sheriff; but the Blue party had arrived there previously, and what I may call their armed body of partisans, these constables or messengers or band.

7247. By the *Committee.*]—Or banditti?—Or banditti, if you please; that would be a proper name for those persons employed at the election: those persons acted in the Blue interest, which we knew by their colours carried in their hats; they had arrived at the hustings, and pre-occupied the ground. I have been accustomed to looking at crowds, and to the best of my judgment there were 400 men armed with the staves carrying blue colours in their hats, who had arranged themselves in front of the hustings, which were adapted to hold about 150 persons, and would present a front to the crowd half as long again as this room. These 400 men with staves were arranged in front of the hustings. Mr. Lowther was put in nomination first; he was heard very peaceably by the Oranges and my partisans, who were there in immense numbers. Mr. Dundas was put in nomination second; he also was heard very patiently. I was put in nomination last. When my proposer began to speak, their blue crowd, which as I have said were armed with staves, and who were also provided with cat-calls, put those cat-calls into their mouths, and began a noise which baffles all description, directly under us, and prevented my unhappy friend, Mr. Leonard Simpson, from making his maiden speech, a man universally beloved in the town, and who never was engaged in elections before; one of the most respectable merchants in the town,

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the largest, I may say. The Oranges, and the remainder of the multitude assembled, I should think 6,000 people, were excessively annoyed at this evidently preconcerted plan; and as the same system was adopted when I began to speak, and as I declared I would not go on till the interruption was put an end to, they made a rush at those Blue gentlemen, and cleared the place; they were driven into a corner, without a blow being struck, as far as I could see; it was by a simultaneous motion of the crowd; and as the crowd was so enormous, the smaller number was obliged to give way. After that occurrence, I myself witnessed nothing like a disturbance, or I may say, no blows struck, or anything of the kind; but I understood at the chairing there was some attack made by the Blues on the Oranges, or the Oranges on the Blues; it was impossible to say with whom the matter began. I have stated what I conceive to be the proper answer to the question, according to the spirit of the question, and I apologize for the length to the Committee.

7248. Who had the show of hands?—I had the show, according to my opinion, but the sheriff was in doubt; and in the hearing of some gentlemen in this room, I leant over to the sheriff and said, "I am most anxious to prevent jealousy on the part of Mr. Dundas's friends, being desirous of union, if possible; put Mr. Dundas first, and let me stand second."

7249. I am not inquiring if you and Mr. Dundas stood first or second, but were you before Mr. Lowther by show of hands?—By 5,000 majority certainly.

7250. By the *Committee.*]—Were they electors?—Certainly not, inasmuch as there was from 6,000 to 8,000 in this very large square; and we know that the live constituency of York is only about 2,700, and the polling constituency is something less.

7251. By Mr. *Hill.*]—Did you observe anything of the practice which has been called slouching?—I can explain the practice of slouching; it arose in this way: very evil disposed persons were in the habit of coming under the window where I addressed the crowds of people each night during the election, which persons chose to create a disturbance; being in a very small minority, and as a mode of getting rid of them, and as the only mode without blows, I did occasionally see a hat put down over a man's face, to act as a sort of extinguisher for the moment.

7252. Had you an opportunity of observing if there was much drunkenness prevailing?—I should say very much drunkenness. I cannot conceive why there should be any drunkenness at an election; if I saw any, I should say it was considerable.

7253. You did see a considerable amount of drunkenness?—According to my own standard, I saw much drunkenness.

7254. You say you would see much drunkenness if you saw any; putting aside that, can you say whether or not there was much drunkenness, as compared with other elections?—I cannot say compared with other elections, I must be allowed my own standard in my own mind; I never saw a York election before. I perhaps can best explain to the Committee what idea I formed, when I tell them I could not go down any one street in York, through the two days of polling, without meeting two or three drunken men who insulted me, in any one street in York; I walked almost alone; I had no runners or messengers with me, and sometimes I met as many as three or four persons, who as they reeled along past me waved their hats and made use of some expressions which were meant to insult me; whether there was much drunkenness relatively to the former state of York, I had no means of judging.

7255. By the *Committee.*]—What number of streets would that apply to?—Forty or fifty, for I was in every part of the town almost, and there were seven polling-booths; five polling-booths, I think; five or six, I will not say positively; and all day long I was employed in going from one to the other, therefore I think I may say, that allowing for the different routes I took, I was in 40 or 50 different streets of York.

7256. Did you direct your own canvass?—I superintended my canvass-book myself, and no vote was ever put on the book that I did not sanction myself; I had my own canvass clerk, and when a man hummed and ha'd, I directed him to be put down against me, on the principle that those who are not with you are against you.

7257. Were the voters put down in your favour very carefully selected?—Much more carefully than I believe on any former canvass at York, according to what

what I heard from my poll-clerks; those of them who acted gratuitously were very much offended at my not allowing them to keep the book in the old manner, which was to put in all sorts of fallacious promises.

7258. What number did you happen to have?—Till I resigned, upwards of 1,000; when I came a second time forward, I did it to please the good people at York, I would not condescend to canvass again; I was told I had about 250 or 300 promises after that time, so that they must have stood nearly at 1,300 or 1,350.

7259. Did you at a certain period before the election actually commenced, resign?—I did, under the circumstances I have already stated; I have the statement in writing in my hand, if it is thought proper to require it, which I made to Mr. Dundas's friends.

7260. You allude to one election?—Only one.

7261. How long was that before the nomination?—The early part of the week preceding the election; the nomination was on the Monday; it must have been on the Monday or the Tuesday, on December the 29th or December the 30th; I have a date here, the 29th, on this communication, which partly guides me; I sent this communication to Mr. Dundas; in consequence of not receiving a favourable answer to it, I resigned.

7262. By the *Committee.*]—On the 29th of December Mr. Barkley resigned?—Yes, or on the 30th.

7263. By Mr. *Hill.*]—At that time you had 1,000 promises?—Yes, thereabouts.

7264. Then it was 1,000 before you resigned, and some 300 afterwards?—I should say it averaged towards 1,100 before I resigned, and subsequently there may have been from 200 to 300 promises, so that I am inclined to put the maximum at 1,350, and the minimum at 1,300. I would not condescend to canvass after I came forward a second time.

7265. You were called by your party to come forward?—I came forward in consequence of this resolution, "That we, the electors of York, highly approving of C. F. Barkley, Esq., as a candidate for the representation of the city in the Commons House of Parliament, &c. &c.—[*Mr. Barkley reads the resolution.*]—deeply regret the cause which has induced him to retire from the fair and most flattering prospects which were unquestionably before him. That this meeting, therefore, will not consent to such withdrawal; and believing Mr. Barkley to be a most honourable man, it will not entertain for a moment any doubt of his readiness to comply with this general call of the electors not to desert the cause of reform in the hour of danger, so long as the electors of York demand his presence and his patriotic efforts."

7266. That was by your supporters?—Yes. What could I do but come forward again, though I knew I had no hope, if there was to be setting down?

7267. You have told us you had a certain number of promises; can you tell us at the moment what were the number of votes you polled?—Nine hundred and twenty, according to my book, which is a journal of the voters, and 919 according to the sheriff; my account and the sheriff's account differed one vote; we made out an estimate at the end of the second day's poll; his official estimate was proved to be 919 at the declaration.

7268. It appeard by the poll-books you had no plumpers; will you shortly explain that?—When I went down to York I found myself in this position: I was there, as what I have always fancied myself to be, a sort of very advanced Whig, and yet I found a great jealousy of me on the part of other Whigs, who are what I should say, little better than Tories. I was aware that my prospect of success would be greatly enhanced, if I could soften down the exacerbated feelings of those gentlemen; I saw plainly that they were anxious for an excuse to desert the cause of reform, and they were most anxious to avoid voting for me; I could hit on no better method to have them, without an excuse for not doing so, than begging my supporters on every occasion, both when addressing the crowds and in private, not to plump me; and I went so far as to say, I should consider any person who plumped me as my personal enemy. I went so far as to request my chairman to poll the very first man, and split upon Mr. Dundas, which he accordingly did; and I begged of my committee, 218 in number, to erase their names from my committee-list, or else promise not to plump me. I am happy to say, on such good terms was I with my friends, that I succeeded in every instance in

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obtaining split votes for Mr. Dundas; nevertheless, the gentlemen who I was afraid would plump Dundas, did plump him to the number of 160.

7269. By the *Committee.*]—What is your definition of an advanced Whig, do you mean one approaching to a Tory or a Liberal?—By a Whig advanced in his politics, I meant to say a vote by ballot, and triennial Parliaments, and household suffrage man.

Cross-examined by Mr. Wrangham.

7270. You say 160 of those Whigs are little better than Tories, who voted plumpers for Dundas?—Yes.

7271. Were those the gentlemen to whom the phrase was applied of dirty old Whigs?—I do not recollect any such phrase.

7272. Are you quite sure?—I am quite certain; however, I will not quibble with you; I recollect the phrase of stupid old Whigs; I conceive many of them were the parties to whom the expression was applied; whether it was a discreet expression, or a proper one, is another question.

7273. If they had voted for you, still you would not have been successful?—They would have sent me home to my neighbours with four places of figures instead of three, 1,000 and upwards instead of 919.

7274. Mr. Lowther would have been more than 300 ahead?—Yes, but had they been cordial, and voted the first day, then it would have made a difference, for we should have run on neck and neck up to the point where I stopped my polling, which might have made a more favourable result; whereas Mr. Lowther was ahead first, and took a decided lead, and kept it all the whole race.

7275. The stupid old Whigs thought they had better secure their candidate, Mr. Dundas?—Precisely so, and remained behind quiet, and got all the split votes from me, and then plumped their own candidate, that was the English of the matter; but this conduct has created no jealousy in my breast; I knew beforehand they would do it.

7276. In point of fact, every person who voted for you did, by your persuasion, give another vote to Mr. Dundas?—Yes, every man.

7277. Therefore, if Mr. Dundas took steps to get them up to the poll, by the employment of messengers, it would not be necessary for you to do so?—The answer I must give to that question must be what you will call not short; I believe my strength was between 300 and 400 plumpers; I do not believe those men required anything like solicitation to get them up to the poll; the other persons may have been persons that required some slight degree of solicitation, and possibly Mr. Dundas's friends, in working to get them up, may have saved those who worked gratuitously for me much trouble. My poll clerks were gratuitous; most of the services rendered were gratuitous.

7278. Now, having answered in the spirit, will you be kind enough to answer in the letter; if Mr. Dundas's friends or messengers got up to the poll any one voter to vote for the benefit of both of you, did it not save you the necessity of employing any one to get them up?—Decidedly; if I had thought it necessary to employ any persons, and had been aware that Mr. Dundas's friends would have worked for me, I should have employed fewer persons.

7279. Every vote you had was a split with Mr. Dundas?—Every vote.

7280. Had you a band?—I am sorry to say there is in my book an item of 18*l.* 10*s.* for a band, but it disgusted me so much before I got many yards, that I said, "Band, disband!" that was on the nomination morning before the election began. The band was not allowed by me to parade the streets after the election began; I paid them, and got rid of them, and was too happy to do so.

7281. You had a show of hands of 5,000?—I consider there were not more than 1,000 persons in the crowd who held up their hands for Mr. Lowther, and the crowd consisted of from 6,000 to 7,000 or 8,000; it is difficult to estimate them.

7282. You could not judge that Mr. Lowther had 1,000 voters, and your 7,000 not voters?—I should say he had a larger proportion of voters out of those who held up their hands for him than I; I think it very likely that in his party they were very nearly all voters, for they were the messengers.

7283. Of the voters who made a show of hands, you would not refuse to admit Mr. Lowther had the majority?—Oh no, certainly not; for I understood the men who voted to be the paid men, the messengers, and therefore the voters.

7284. Of those who ratified their hands by their vote afterwards, he had the majority?—Yes. *C. F. Barkley, Esq.*

7285. Yours were the gentlemen who were not incumbered with votes?—Many of them, and I was very proud of their support. 25 August 1835.

7286. Much more so probably than if they had votes?—That is a *non sequitur.*

7287. You did not incur the expense usual at York, and which by some is thought indispensable, that is, becoming a freeman?—Of course I would not submit to any such absurd pretension on the part of the corporation, that a man could not be a candidate without being a burgess, a thing settled by all lawyers long ago as unnecessary; I refused to pay 176*l.*, which was exacted from former candidates, but I offered the sum of 30*l.*, paid by ordinary freemen, and when they would not accept it, I gave it to the county hospital; I did that to show I did not resist the demand from meanness, but from principle.

7288. You have given us some insight into the practice of slouching; you describe it as putting a man's hat down over his face; is that done in a very gentle way or with a thump at the top of his head?—A course of experimental philosophy would enable you best to ascertain if it would require any very great force; you can judge yourself whether the forcing a man's hat down over his face would be a pleasant or injurious operation.

7289. I did not ask you whether it would be pleasant, but I asked you whether when you talk of putting a man's hat down over his face, if it is put gently or knocked with a thump on the top of him, in that way?—I should say it is a thing done half in jest and half in earnest; I had it done to myself.

7290. Is it done gently or with violence?—With a certain degree of violence.

7291. Did you see any fighting at the election?—None other than that which I have mentioned on the morning of the nomination, and a *fracas* under my own lodging window; a man's leg was broken.

7292. Do you ever recollect offering to take part in a combat of that kind?—I was most grossly insulted at York. The Blues found out I had got a quick temper; I was grossly insulted upon plan, and on one occasion was struck, and I am very thankful to say, I prudentially managed my indignation, and I did not return the blow, nor did I ever offer to take a part in a pugilistic combat. I went down from the committee-room window once when they were slouching a partisan of the Blue candidate, and requested that he might be allowed to go out of the crowd, where he had made a disturbance. I thought on that occasion, though very much exasperated, they did not ill-use him other than put his hat down over his eyes.

7293. Do you know a person of the name of Whitehouse, a butcher?—I never heard of such a person.

7294. Do you recollect offering to fight a person in Loorne's public-house in Quarry-street?—That was the occasion I allude to where I was struck; I did not return the blow, nor would I offer to fight, as you say.

7295. You did not take off your coat and offer?—Most decidedly not; and I have a witness in town, Mr. Mitchell, who was present on that occasion, to whom I address you for further information on the subject, for mine is *ex-parte* testimony; he was present on that occasion; I was struck, but I did not return the blow.

7296. Do you recollect the name of the person who struck you?—No, I cannot recollect his name; he was a commercial traveller, and I have heard that he has since expressed himself grieved and sorry for this transaction.

7297. Was it Morgan?—I think it was a commercial traveller; there are gentlemen present who well know his name.

7298. At the time of the election, in the pavement booth, did you not express a readiness to turn out and fight with another person?—No; I recollect being most grievously insulted by Mr. Short, and I cannot say as to that transaction how far the thing went, for he was excessively provoking, and I was attacked in every way, my connexions, my family, my fortune, and everything; and now you call it to my recollection, I do certainly recollect, and I admit, there was some discussion with Short; but how far it may have gone I do not know; I recollect it was very nearly beyond the power of my endurance; but as far as I recollect, there was no blow, and there was no taking off the coat.

7299. Can you take on you to say the discussion did not go to this, that you did not offer to fight him?—Yes, I may have offered to meet him, as one gentle-

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man meets another, though he was not, strictly speaking, a gentleman. That is the French system in such matters.

7300. Are the Committee to understand you expressed a readiness to meet him with the usual weapons, or with the more natural ones?—I was willing to put him on the footing of a gentleman; not being able to fix the original calumniators, I was anxious to put a stop to such infamous conduct.

7301. Then did this defiance pass in the booth?—I dare say you, in a similar provocation, would say the same thing to me; I hope you would.

7302. Did this pass in the polling-booth before all the world?—I do not know what you call the polling-booth, the polling was going on in a room; if you mean in a polling-room, I believe it was the place the rencontre took place, in the corner of the room, but it was not where the polling was going on, nor am I anxious to disclose these transactions, or boast of them; I was, therefore, likely to do it in a corner.

7303. You say that, according to your standard, a single drunken man is a great degree of drunkenness?—No; according to my standard, one drunken man at an election is very improper.

7304. Was there considerable drunkenness?—Yes; that is, when I could not go through a street of a town without meeting two or three persons intoxicated.

7305. I think you said you saw one drunken man?—I meant it in the sense I have explained it. I am trying to answer in the spirit of your question, though I am aware of the advantage it gives a cross-examiner: this is the first time I have been a witness.

7306. Can you see no possible excuse for a thing of that sort?—I think an election should be conducted more seriously than other matters are, and more seriously than this present inquiry; it is the most important transaction a citizen, in the exercise of his rights, can be engaged in.

7307. Why, we have been laughing here in the course of this inquiry?—It is no laughing matter, nevertheless.

7308. You say that your real belief is, that there is no sort of excuse for a man taking a glass too much after a successful election than there is in this committee-room?—If you mean after the election is decided, I can find some excuse for parties in their triumph taking a glass too much; but why men should get drunk to go about what ought to be a serious and reasonable proceeding, I cannot believe, nor why the Legislature should tolerate it.

7309. Suppose one candidate is running a long way ahead of another, would it not be very natural for his supporters to celebrate his success with a little additional drink?—In the present state of things, I cannot say it would be unnatural.

7310. So if Mr. Lowther was running ahead on the first day's poll, if there happens to be two or three drunken men, it would be nothing so very shocking to your notions?—Certainly not; but as far as I saw, it was as much the case at least in the first morning of the election as afterwards.

7311. There was a procession, was there not, on that morning?—On the day before, but not on the morning of the election.

7312. You have told us that you intended to present an election petition, and that you abandoned it solely because you would not half ruin yourself for the sake of the public?—Precisely so.

7313. So that you did not think the chance of a seat worth so much outlay of money?—I thought the chances were more with me than against me; but I thought the expense would amount to 7,000 *l.* or 8,000 *l.* or 9,000 *l.*; in fact, looking at the opulence of the other party, I could see no end to the probable expense.

7314. Therefore you thought very naturally on that, that the chance of success was not worth so great a risk and outlay?—Decidedly not.

7315. That is what you meant to convey to the Committee, when you said that you did not think it worth while half to ruin yourself for the sake of the public?—Precisely so.

7316. Are you quite sure Mr. Dundas was the first person proposed?—Mr. Lowther, I think so; I cannot be quite certain; I recollect much discussion on the point, and many absurd pretensions were put forward by the partisans of both sides: one, they said, was an honourable, and the other the nephew of an earl. I do not know how it was settled; my impression is that Mr. Lowther was proposed first, and yet I am not quite certain. I was naturally anxious at the moment, it was the first time I had ever been in such a position as a candidate.

7317. You seem to claim some credit for being liberal in giving a hearing to

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Mr. Lowther, whereas it appears that Mr. Dundas was first proposed, and the people gave the hearing to Mr. Dundas?—I am quite sure both gentlemen were heard before myself, and both were patiently heard; my impression is, that Mr. Lowther was proposed first.

7318. You have told us that in the middle of the election, or the proceedings, you resigned the contest?—Yes.

7319. Did you communicate the fact to Mr. Lowther?—Yes; I thought it my duty to communicate so important a fact instantly, with a view to saving him expense.

7320. You waited on him personally with a letter?—I called with my chairman at the George Inn, and saw delivered a letter into the hands of Mr. Lowther's own servant, to the effect that I meant to resign. I could not, however, then resign; I had that instant come from an interview with three of Mr. Dundas's friends, who were authorized to meet me.

7321. Whatever were the terms of the note, it was intended to convey to Mr. Lowther that no longer would any opposition be made to his return?—I can read you the note; it was written by Mr. Simpson; it was written in the usual terms in which gentlemen make such communications, and sent to Mr. Lowther; and the very first instant the determination was come to, I thought it my duty to my antagonist to behave in that way.

7322. You did, in point of fact, communicate the result to Mr. Lowther and his friends, that there was no longer an opposition, so far as you were concerned?—The chairman communicated that fact; I acted under his advice, and concurred in it; and I called myself with the chairman at the George Inn, in my way from the meeting, and Mr. Lowther knew it before anybody else in York.

7323. You communicated the fact personally to Mr. Lowther's servant?—I believe it was his servant; I was told so. I saw Leonard Simpson put the note into his servant's hands; he did it with my concurrence. I believe I made the remark at the time.

7324. To the effect that you had resigned?—Yes; and that he was the first person to whom I had communicated it other than the chairman.

7325. But when did you again start as a candidate?—That same night, in consequence of the resolution I have just now read to you.

7326. Did it never occur to you it was rather sharp practice to go to Mr. Lowther in the afternoon and say you had resigned, and then start the same night?—It was better than doing so the next morning; if there had been a long interval Mr. Lowther might have upset his arrangement, but so short an interval could not have affected him.

7327. Would it not have been better if you had not started at all?—It would have been better for my pocket, and better for my health, and better for myself in every way, if I had persisted in my resignation. I should have been in Parliament now, for I had an offer from another place.

7328. Would it not have been better for Mr. Lowther's pocket if you had adhered to your announcement?—I dare say it would, by 2,000 *l.* at least.

7329. So that the effect of your standing without your having the slightest prospect of success, was to put the other candidate to the expense of 2,000 *l.*?—I consider he was put to the expense of 4,000 *l.* in all, and it would have saved him half the expense.

7330. The effect of your standing again, without the least shadow of chance in your own mind, was to put the other party to 2,000 *l.* expense?—I conceived I had no chance of success, in consequence of the resolution having been come to to set down; but thus I was on the horns of a dilemma, and I did what others thought honourable. I put myself into the hands of friends; the usual course when a man is in such a dilemma.

7331. Was Mr. Simpson chairman on your resignation?—Yes, he was.

7332. Did he not decline to act after you started?—Yes.

7333. Was that because he thought it not exactly the conduct that should have been pursued?—No, but because he thought himself incompetent for the office of chairman; as the transaction is explained in my committee journal, drawn up by the committee clerk, which is here at your service if you like to see it, with all my books and papers.

7334. When you made your resignation, did you put up an address stating that you had resigned?—There was no time. The intimation to Mr. Lowther was made at about half-past four or five in the afternoon, in a private communi-

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cation in a letter; and the only public opportunity I had of mentioning the resignation was in the usual way, under my committee-room windows; namely, by addressing the crowd on that occasion. I made the communication publicly, and within an hour after that time that meeting compelled me, if I may say so, to rescind my resignation; so that the public rescinded it, on their part, in less than four hours.

7335. The publicity of the resignation got wind about York?—I think the most minute circumstance connected with an election cannot be concealed five minutes in York. Such a trifling circumstance as that would be known in York in less than an hour.

7336. You do not call the resignation of one of the three candidates a trifling circumstance?—Not a very trivial circumstance.

7337. Did it not become known to every elector within five minutes?—It would depend on how long it would be before Mr. Lowther could get that letter. I am most anxious to tell you everything I know.

7338. Have you a doubt it was thoroughly well known at York that you had resigned?—I know it was bruited or rumoured about.

7339. Did it never occur to you that persons promising you while you were a candidate in the field might, in the interregnum, if I may so say, while you had withdrawn, transfer their votes to the other parties who remained on the ground?—No, because there was no longer a chance of a contest.

7340. Suppose that, with an excess of caution, that Mr. Lowther, with a chance of a third man coming, like a good electioneerer, had set on his friends to canvass all your voters, and you having withdrawn, do not you think it is just possible a good number would say, "Very well, I will give you my vote?"—If they succeeded in getting 10 votes under such circumstances they did a great deal, the time was so very short.

7341. You say Mr. Lowther's friends had been in possession of your determination four hours before you were induced to stand again?—It was very nearly dark when I left the letter at the George Inn; it was December. There was the usual meeting under my window about seven o'clock, so that there was an interval from about a quarter past four, or possibly from four to seven.

7342. At seven o'clock you gave a public resignation?—At seven, and rescinded it immediately afterwards.

7343. That lasted an hour; you said the public resignation was in force about an hour?—I had to read the paper I hold in my hand, and to make some explanation, at the end of which the meeting called on me to rescind it, and I did so.

7344. You said the public resignation was withdrawn directly after it was made?—Yes; the slight interval having been consumed in speech-making.

7345. By the *Committee.*]—Did it never occur to you as at least a possible case that a considerable number of voters might so much disapprove of your first resigning and then retracting your resignation, as to consider themselves absolved from the promise given?—That is a possible case; but if I were asked, I have my answer prepared; it is just possible, but in the highest degree improbable.

7346. By Mr. *Wrangham.*]—At all events there were four hours for active emissaries from a well-trained electioneering camp to visit your votes who were left all alone, intreating them to give votes, as you were out of the question, to their own favourite candidate, Mr. Lowther?—Arrangements could not be made in time, for the voters came flocking around me; it was rumoured, but it was not believed in York till I announced the fact, and then I was received with a sort of general execration, which I believe came as much from the Blues as the others. I think they were as sorry I resigned as my own friends.

7347. They were very fond of you, no doubt?—They were, they had many substantial sovereign reasons for being so.

7348. Was it to gratify those substantial sovereign reasons you acceded to their wish by withdrawing your resignation?—No; I would willingly have prevented such sordid hopes from being realized.

7349. You took the step in your judgment most likely to realize them?—I put myself into the hands of my friends, no man can do more; I felt on the horns of a dilemma, and put myself into the hands of my friends; they advised me. If I was in a similar scrape to-morrow, I would do the same; I was most anxious to get away from York, I had seen quite enough of it, though I owe many many obligations in York.

7350. Did

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7350. Did it not occur that this giving in your resignation to the opposing candidate, and afterwards throwing yourself into the hands of your friends, by way of authorising your retractation, would excite considerable doubt in the minds of the other party as to receiving any other communication from you as to whether you intended to abide by the resolution?—My conduct was before the world, and the world will judge of it; no man is a proper judge of his own actions; I can give you no opinion, you can form your own conclusions.

7351. Were there 400 of these Blue people, in your judgment?—As far as my judgment goes, there were 400, and I am accustomed to look at crowds; from the space occupied before the hustings, I might say at least there were 400 men with staves in their hands, or rather these immense cudgels, which they afterwards sawed into two, for they found they could not use them conveniently in a crowd; these identical staves were afterwards sawn into two; what guided me as to number was, that they stuck up above the fellows' shoulders in the crowd; I should say there were 400.

7352. They were all sawn in two at the time of the chairing?—Yes, before the chairing they were sawn in two; the night before the chairing I had one brought to my rooms, and I called the attention of the magistrates to the fact, that it was the intention of their going next day to the chairing with these very dangerous weapons; I thought it highly improper for the magistracy to permit it; it was for public peace; I was quite sure I should not be chaired.

7353. Was this a blue staff?—When brought to me it was painted blue, newly painted.

7354. Quite fresh painted?—Yes, to all appearance; one of the staves on the nomination day was sawn in two and painted blue.

7355. It was brought to you by your partisans?—Yes, and might have been manufactured in my camp; but the Blue party appeared next day with them, that is an undoubted fact, for I saw them, therefore my friend in my camp must have divined their intentions.

7356. You take on you to say the staves the Blue party appeared on chairing with, were blue staves?—No, they were deals, but as thick as my wrist.

7357. Blue?—No, decidedly not; there may have been a few blue, but the great number were white unpainted deal staves.

7358. So that your friend does not seem to have been quite in the secret, and he painted his blue; were you present at Mr. Lowther's chairing?—The moment I was disposed of, and I had made my farewell bow at the speechifying, I walked about paying my bills into every part of York, unprotected; there was not anybody with me; I begged my chairman to accompany Mr. Dundas on his triumph; I did meet the procession two or three times, but I carefully kept out of the way, I thought it would be thought indelicate if I mingled; I headed back the moment I got near them; I cannot say I followed in the train of the procession, nor did I see the riot. In the process of walking about the town paying my bills, I came upon the procession, and on such occasion I thought proper to remain quietly in a shop or something of the sort.

7359. You could not see what was the necessity for the use of staves?—I saw the men with the staves, and I saw the procession frequently.

7360. You could not see what occasion there would be in the course of the riot for these people to make use of the staves?—I cannot say I saw rioting, nor was I concerned in the riot, nor the defence against the riot.

7361. By the *Committee.*]—Have you defrayed any part of the expense incurred, or to be incurred by the promotion of this inquiry before this Committee?—I put myself into the hands of the Chairman; if he wishes me to answer, and if he does, I will answer it in the very spirit, though I may evade it if I like.

The *Chairman* informed the Witness that his answer was not desired.

Witness.]—Having had the subject mooted, for fear of the inference, and having permission from Mr. Hill, I would rather answer it than not. It is not a question I wished to have had put, out of delicacy to him; but seeing the Chairman has had a desire to spare my feelings, and being grateful for it, and having had permission from my learned friend to give an answer, I desire now to answer it. When this matter was first agitated I had no hand in it, but at a certain stage of the matter I became cognizant of all that was going on, and I watched the proceedings with very great interest, for I highly approved of it, and I was never anxious to conceal the fact. My only desire was not to put myself too forward, so as to be improperly

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perly interfering. I watched the proceedings carefully; the Committee may have seen I have never abandoned the room; I was cognizant, therefore, of the fact, that Mr. Joseph Parkes was to have been counsel in this inquiry. There having been some doubt in the minds of some persons if counsel's expenses would be ultimately allowed in an inquiry of the sort, no counsel being employed in the Yarmouth case; and as, before the examination of witnesses commenced, it became evident that Mr. Joseph Parkes could not fill the situation he previously determined to fill, and everybody desired he should fill——

The *Chairman* reminded the Witness that he was not bound to disclose private matters.

Witness.]—The object of this inquiry being truth, I will tell you the exact truth. I have made this explanation that you may understand how I meddled in the matter, there being a great doubt at this stage whether counsel's expenses would be defrayed by the public; there was also great doubt if counsel should be employed. I said, "Let counsel be employed if necessary at my own private expense, rather than the inquiry should not have a chance." I gave, therefore, a cheque on my banker for 50 *l.* for counsel's retaining fees in this case, and am answerable for it and for all future expenses by agreement, if the Committee should not repay it.

7363-3. Do you think the inquiry will be favourably received by the freemen?—No.

7364. Do you think it will be advantageous to you hereafter?—No, I am cutting my own throat.

7365. Do you think your chance of success at York would have been improved if you had spent more money?—I think if I had spent 2,000 *l.* I should have been the member for York.

7366. Did you derive your support from the 10 *l.* householders or the freemen?—I state to the honour of many poor apprentices, and the members of the working classes and mechanics' unions, and trades' unions, I was largely supported by them; and I conceive I was supported by almost as many of that class as of the 10 *l.* householders; and I think many of the 10 *l.* householders have no right to hold their heads higher than the poor freemen.

7367. Do you think you would have been returned if you had spent 2,000 *l.* at York?—Yes.

7368. Who do you think you would have turned out?—Mr. Lowther.

7369. Do you think Mr. Lowther has spent 4,000 *l.*?—I think he has spent 4,000 *l.*; nothing could remove that impression but his disclaiming it.

7370. Do you believe that part of the petition stating that the representation of York is put up to the highest bidder?—I do.

7371. How do you account for that, if you suppose 2,000 *l.* would have made you a representative of York, to the exclusion of a gentleman paying double the money?—I was more popular.

7372. More supported by persons who do not receive consideration for services?—Yes.

7373-4. You were asked as to the effect of your resignation on the voters; you had a book containing all the promises after you had resigned, and when you compared the votes that were given, did you find any voters were missing?—I hold in my hand a list of 126 persons who promised me their votes, and afterwards voted for Mr. Lowther, which admits of extension; there is a note.

Mr. *Wrangham.*]—That note is mere hearsay, and Witness cannot be allowed to read it.

7375. Were you induced to resign by your hearing Mr. Lowther had begun to set down?—By that fact, and the lukewarm support I met from the old Whigs, which I hoped to remove upon a conference with Mr. Dundas's friends; the additional circumstance of setting down was notorious, and from these two causes being combined, I resigned.

7376. Was your determination to resign made known to Mr. Lowther immediately after you heard he had begun and intended to set down?—It was very soon, it might be a couple of days after.

7377. You favoured us with the definition of an advanced Whig; do you know Lord John Russell is an advocate for the ballot or not?—Lord John Russell is, I believe, indeed I am certain, not an advocate for the ballot.

7378. You

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7378. You have been asked if it was shortly after you heard Mr. Lowther had begun to set down, you told him you resigned, you say a day or two; was it not immediately, instantly after a communication or a conference with the Dundas party, or some of them, you made up your mind to resign?—From the combined causes I resigned, one cumulative upon the other.

7379. Was it not immediately while you were coming from the conference with the Dundas party, that you announced to Mr. Lowther that you had resigned?—Yes, and it was natural to do so, for that cut the last plank from under me.

7380. Do you happen to know if any person of such strong politics as you, stood before in York?—Mr. John Charles Dundas holds precisely the same; whether any other man stood, of those extreme politics as they are called, I do not positively know. I believe Mr. Bayntun, the late sitting member, advocated every one of the principles I advocate, when he became a reformer.

7381. Do you believe there has been a re-action, that they are not so favourable to reform as they used to be?—No.

Mercurii, 26° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Charles Francis Barkley, Esq. called in; and further Examined by Mr. *Hill*, as follows:

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7382. HOW long was it after you had withdrawn your resignation that you gave notice to Mr. Lowther of that circumstance?—Directly; I gave him immediate information as to my resignation, and immediate information as to my withdrawal of that resignation.

7383. Was it a large meeting called upon you to withdraw your resignation?—I should estimate from 6,000 to 7,000.

7384. You have been asked by my learned friend whether it was in consequence of the setting down by Mr. Lowther that you thought it necessary to withdraw; did you find any person with whom you communicated in the city of York who was ignorant of the meaning and bearing of that phrase, "setting down?"—Any person who pretended to be ignorant of it would be called a rogue or a fool.

7385. Did you find that the phrase was perfectly well understood throughout the city of York?—As well as *and* or *by*, or any other words commonly found in the dictionary; I was aware of that before I went down to York. I found the statement made to me when they invited me to go to York correct; I heard of it in the trial of Bayntun *v.* Cattle, a trial arising out of some dispute between Mr. Bayntun and his Tory treasurer before he became a Reformer.

7386. You used this phrase in the answer you gave to my learned friend or the Committee, that by the evidence you are now giving you were cutting your own throat; can you afford us an explanation of that?—I mean it in this way, that my evidence here, and the indirect part which I have taken in this inquiry, must prejudice the bribed men against me; men who, if I had not taken that part, might eventually have give me a vote, upon the principle of encouraging a third man, who caused money to be spent among them.

7387. You were asked by my learned friend whether the drunkenness you saw was consequent upon the success of the party to which those persons belonged whom you saw in a state of intoxication. Now I ask you, from the observations you had an opportunity of making at York in the course of the election, do you believe that the drunkenness was a part of the cause or the consequence of success; do you believe the drunkenness was before the voters gave their votes or afterwards?—I have already said, that I saw as much drunkenness on the first morning of the poll as I did at any subsequent time; it follows, therefore, that it could not have been wholly the consequence of their triumph, or in celebration of their triumph; I have already stated that in my answer yesterday.

[The Witness withdrew.

Mr. *James Walker*, called in; and Examined by Mr. *Hill*, as follows:

Mr. *James Walker*.

7388. WHAT are you by trade?—An auctioneer.

7389. Do you reside at York?—I do.

 7390. Have

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7390. Have you done so for many years?—Yes, a great part of my life.

7391. Have you been in the habit of taking part in elections?—Since 1830 I have.

7392. Were you one of the supporters of Mr. Barkley at the last election?—I was.

7393. What department did you take in his election?—I was canvass clerk, I took the books on the canvass.

7394. Did you accompany Mr. Barkley on his canvass?—I did the whole of his canvass, save the first two days of it.

7395. How many promises had Mr. Barkley altogether?—The gross amount of his promises would be from 1,200 to 1,300.

7396. What do you mean by the gross amount of his promises?—At one time Mr. Barkley declined standing; at that time his promises stood about 900; then we made an extra canvass round the town, and that increased the promises to between 1,200 and 1,300.

7397. His friends canvassed for him after that?—Yes; Mr. Barkley canvassed no more after his resignation.

7398. Did you meet with persons in your canvass whom you had known at the former election to be on the Orange side, and who refused a promise for you?—Yes, several.

7399. Did they give reasons for that refusal?—Yes, they did.

7400. What were those reasons?—That in 1830 they had voted on the liberal side; that in 1832 they had been remunerated, that they got handsomely paid by the Blues, and that they thought that was the best party to adhere to.

7401. Did they refer to any particular payment of the Blue party?—In 1832 of Mr. Lowther, that he paid 3*l.* from the George Inn to a plumper, and 1*l.* to a split vote.

7402. Did they refer to that as a reason for voting at that time for Mr. Lowther?—They did.

7403. Do you remember Mr. Lowther beginning to set down?—I do.

7404. Had you any difficulty about the meaning of that phrase "set down?"—No, by no means.

7405. Do you know whether his setting down produced any effect on your promises?—Yes, it produced a very great effect; there was one thing more which created a great effect, and that was, it gave a zest to the other setting down, and made the men more confident of being paid.

7406. May I ask you, was it notorious throughout the town that Mr. Lowther's party were setting down constables for Duncombe and Walker?—As notorious as the sun at noon-day, as visible to all intents and purposes in the Castle-yard during the nomination; no person with his eyes open could make a mistake.

7407. Describe how it was visible in the Castle-yard?—In a town like York, of course where a person has been resident some time, he becomes generally acquainted with the voters, and it was evident that there were parties present at the nomination whose object was only to hold up their hands, and they were gone as soon as it was done.

7408. Did you, from your general knowledge of the voters, know that they were city voters?—Yes, and more than that, the parties did not mince the matter as to their being set down; one invited another, "Have you got set down as a constable for Duncombe and Walker? if not, go and get set down."

7409. Did you hear that?—Yes, I did.

7410. Was it notorious where the place was where voters were to be set down for Duncombe and Walker?—They were set down at the George Inn, and paid 4*l.* at Mr. Scowen's, in Goodram-gate.

7411. Was it notorious during your canvass that public-houses were opened in the Lowther interest?—During the canvass Mr. Lowther was very liberal, that we found out from the sentiments expressed to Mr. Barkley; Mr. Barkley had occasion to call at public-houses, and there were plenty of people always ready to receive him, and of course they generally made an application for something to drink; he always gave a very decisive answer, "My lads, if one gallon of ale be purchased during the election, I will not pay one farthing for it."

7412. That was as to Mr. Barkley's not giving ale?—Yes; but they would say, Mr. Lowther's party has done so and so.

7413. What was that so and so?—Ten shillings, and 20*s.*, and as much as 30*s.* and 2*l.*

7414. Did

7414. Did they boast of the liberality of Mr. Lowther's party to them for drink?—They did, and there was a public luncheon every day of the canvass throughout the route.

7415. A public luncheon for whom?—For Mr. Lowther's friends.

7416. The friends that were accompanying him in the canvass?—Yes.

7417. Was he accompanied by a pretty large body of friends?—A very large body, very numerous.

7418. Will you tell the Committee whether drunkenness prevailed at the last election?—I never saw it carried to a greater extent.

7419. Among what party?—The Blue party, particularly.

7420. Was it more or less than on former elections?—More.

7421. Decidedly so?—Decidedly so.

7422. Did you ever see so much drunkenness before, at any election in York?—I never did in the city of York.

7423. Did you see any of Mr. Lowther's partisans taking up voters in a state of drunkenness?—I did.

7424. To the poll?—Yes.

7425. More than once?—More than once.

7426. Can you give any particular instance of it?—I can give one in particular. I reasoned with Mr. Dobson at the Black Swan coach-office; it is well known he is a great partisan of Mr. Lowther; he was taking up an individual of the name of Thornton, a man that could scarcely stand; I reasoned with Mr. Dobson, and asked him whether he thought he was in a proper state to give a vote; he said, what business was that of mine; and the voter was objected to, they would not take his vote when he went up; and I do not believe he polled while the following day.

7427. You have said that the setting down and the profuse allowance for drinking was injurious to Mr. Barkley's interest, and affected his promises?—It did so.

7428. Was that in a few instances, or many?—In a great many instances.

7429. Are you conversant with any of them?—Many that held conspicuous situations with Mr. Barkley, many of them.

7430. Did you remonstrate with them?—Yes, one Lyon in particular; the father and son both joined Mr. Barkley, the very first of his coming to York, and were upon his committee.

7431. Did they desert him?—They did.

7432. You remonstrated with them?—Yes, with old Lyon.

7433. What did you say to old Lyon?—I inquired the reason why he left Mr. Barkley, after taking so conspicuous a part as he had done; he said he had very good reasons for it, that he lived in a situation where the neighbourhood was principally composed of affluent Tories, and that was his reason; they had many times applied to him, and it was in consequence of those applications he had deserted Mr. Barkley.

7434. Do you know any case, in which you can say of your own knowledge and belief, that desertion was on account of the setting down and the profuseness of which you have been speaking of the allowance for drink?—There cannot be a doubt of that, from the way in which our promises stood; and I am sure in the manner in which they were given, from what I have seen of elections, I never saw so much candour exhibited in my life, as there was between the voters and Mr. Barkley, when he first canvassed them.

7435. What do you mean by candour; do you mean that he explained fully his own opinions, and they unreservedly gave him their promises?—Yes.

7436. Was Mr. Barkley very popular at York?—He was; I consider him the popular candidate decidedly.

7437. Suppose you could do away with bribery and corruption in the city of York, would a candidate of Mr. Barkley's opinions have, in your opinion, a good chance of success?—I have not the least shadow of a doubt about it; let the present party feeling subside, and I have not the least doubt the effect would be very greatly in favour of the Reform interest; I should say, at least five to four.

7438. Do you think that the majority would stand in the proportion of five to four, if bribery and corruption were removed?—Decidedly so.

7439. You say if the present party feeling were to subside?—Yes, and if bribery and corruption were done away with; of course there is a little party feeling at this moment; persons say Mr. Lowther is a good fellow, he has done wonders, and

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we will give him a vote again; but I think if you do away with any hopes of future reward for services, that persons will begin to reason with themselves.

7440. By party feeling, you mean the hope and expectation of future remuneration?—No; what I mean by party feeling is, that there is a good deal of commiseration with Mr. Lowther; they think he is not rightly dealt with, on account of his extreme liberality.

7441. Commiseration on account of what?—They think he is not rightly dealt with by this petition; but I think if men began to reason with themselves, and those things were done away, the election would be in favour of reform.

7442. This petition has excited a great deal of feeling in the freemen?—Yes, a great deal; I have made a comparison as to the effect; I have made an estimate of it.

7443. Mr. *Wrangham.*]—Are you a sworn appraiser and auctioneer?—I am.

7444. Mr. *Hill.*]—Have you compared the poll-books of 1832 and 1835?—I have.

7445. Yourself?—I have myself.

7446. Have you taken 570 voters who polled plumpers for Mr. Lowther in 1835?—Yes.

7447. Did those voters also poll in 1832, but not for Mr. Lowther?—They did, but not for Mr. Lowther.

7448. Were there 164 voters who split between Mr. Lowther and the other three candidates in 1832?—Yes; they gave half a vote to Mr. Lowther in 1832.

7449. Did those 164 in 1835 plump for Mr. Lowther?—They did

7450. How many voters who voted for Petre and Bayntun in 1832 plump for Mr. Lowther in 1835?—Three hundred and twenty-five.

7451. How many voters who plumped for Mr. Petre in 1832 plumped for Mr. Lowther in 1835?—Eighteen.

7452. How many who voted for Petre and Dundas in 1832 plumped for Lowther in 1835?—Eighty-five.

7453. How many who voted for Dundas and Bayntun in 1832 plumped for Lowther in 1835?—Twenty-six.

7454. How many who plumped for Dundas in 1832 plumped for Lowther in 1835?—Eight.

7455. How many who plumped for Bayntun in 1832 plumped for Lowther in 1835?—One hundred and eight.

7456. Of the 164 which you mention who split between Mr. Lowther and another candidate in 1832, but who plumped for Mr. Lowther in 1835, do you propose to add to the 570; do you propose to add half that number of 164, namely, 82?—Yes.

7457. *Committee.*]—Do you know how they split them?—They split between the other three candidates; I have not made out the particulars of that, either between Mr. Lowther and Mr. Bayntun, Mr. Lowther and Mr. Dundas, or Mr. Lowther and Mr. Petre, they gave but half votes in 1832.

7458. Mr. *Hill.*]—Does that make, according to your estimate, the total 652 votes gained by Mr. Lowther in 1835, in the manner particularized in this statement?—Yes.

[*An Estimate was delivered in, and read, as follows:*]

570 Voters who polled plumpers for Lowther in 1835, who also polled in 1832, but not for Lowther.

164 who split between Lowther and the other three candidates in 1832, but in 1835 plumped Mr. Lowther.

How many Petre and Bayntun men went over?	325
How many Petre plumpers went over?	18
How many Petre and Dundas men went over?	85
How many Dundas and Bayntun men went over?	26
How many Dundas plumpers went over?	8
How many Bayntun plumpers went over?	108
TOTAL	570
Take half of the above 164, who split between Mr. Lowther and the other candidates in 1832, and place to his credit in 1835	82
	652

Cross-

Cross-examined by Mr. Wrangham.

Mr. *James Walker.*

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7459. You say there were 164 voters who plumped for Lowther in 1835, who in 1832 split between him and some other candidate?—Yes.

7460. You were asked who the other candidate was; you say all of them; was it not principally Mr. Bayntun?—No; I should say that it would be a fair proportion, that it would be as equally divided as possible.

7461. Can you say how many split between Mr. Bayntun and Mr. Lowther in 1832?—No, I cannot.

7462. Can you tell us how many split between Petre and Lowther in 1832?—That I cannot say; I could tell that very soon; I should say that the 164 would be pretty nearly divided between the three.

7463. There were 325 split between Petre and Bayntun?—There were.

7464. There were 26 between Dundas and Bayntun?—Yes.

7465. One hundred and eight plumpers for Bayntun?—Yes.

7466. Making altogether 459?—Yes.

7467. Those 459 all voted for Mr. Bayntun in 1832?—They did.

7468. Mr. Bayntun was dead in 1835?—He was.

7469. Then they all voted for Lowther?—Yes.

7470. You say there were eight plumpers of Dundas voted for Lowther?—Yes.

7471. The 164 who had given him only one vote in 1832, gave him two in 1835?—Yes.

7472. I believe he was the only candidate in 1835 who had been a candidate in 1832?—Yes.

7473. He was the only one who had been in the field before?—Yes.

7474. Have you seen either of these petitions?—I have.

7475. Which?—The 63d, the first petition.

7476. You belong to that corps, the 63d?—Yes, and I am very proud of doing so.

7477. You are a great friend to the purity of election?—Yes.

7478. And always have been?—Yes.

7479. What part did you take in the election of 1832?—I took the part of Mr. Petre.

7480. Did he take the principle of purity of election in 1832?—He did not.

7481. Did it arise from your love of purity of election that you supported Mr. Petre, who stood on directly contrary principles?—No, not on contrary principles; the political principles were the same, the mode of conducting the election was different.

7482. As far as the election was concerned, did he stand on the principles of purity or impurity?—Impurity, if you wish to have it.

7483. You, from your great love of purity, supported the impurity candidate?—Unfortunately we had not any gentlemen of sufficient firmness to establish that principle except Mr. Dundas; I voted for Mr. Dundas likewise.

7484. I asked you whom you supported in 1832; you said Mr. Petre?—Yes.

7485. Then what you mean to say was, that you gave your vote to the man, but your active support to Mr. Petre?—We canvassed for both candidates.

7486. Then why did you say you supported Mr. Petre?—Because that was the one that came out of your mouth.

7487. I did not suggest any candidate to you; you said you supported Mr. Petre; why did you say Mr. Petre, if you supported both equally?—My services were devoted to each of them; I was on the committee of both.

7488. Where did you give your chief attendance?—Between the two there were six ounces in one scale, and half-a-dozen in the other. I voted for Mr. Dundas in 1830; and so long as I have had a vote, it was given on that side of the question, and will be.

7489. Did you take any part in the management of Mr. Petre's election?—No, I did not.

7490. Not under the direction of Mr. Anderson?—No; no official employment whatever.

7491. Did Mr. Petre set down?—He did; at least I believe he did, but I am not sure; it was so reported.

7492. In your sense of the words set down, he did set down?—Yes, he did.

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7493. Do you mean to say your services to Mr. Petre were not in any way official?—Yes, I do.

7494. Did you receive any remuneration for them?—No, that I am ready to swear.

7495. Did not you serve him upon the footing of a person to be remunerated for your services?—No.

7496. Did you go round and canvass with Mr. Barkley?—I did.

7497. When you came to public-houses, they sometimes asked you for drink?—Yes, they did.

7498. They told you Lowther's party had given them 10*s.* and 20*s.* to drink?—In some places 10*s.*, and in other places 20*s.*

7499. "Will not you do the same?"—Yes, that was it.

7500. You are an auctioner?—Yes.

7501. You have heard of such a thing as a bid?—I have, a good many bids.

7502. Was not this very much like a bid: "One gentleman has given us 10*s.*, will not you give us more?"—Yes, but there was no advance.

7503. You were not the auctioneer there, you were in the capacity of a bidder; the party were the auctioneers, were not they, asking you for a bid?—Yes, but we did not; the lots were put up at a price, but there was no advance upon them.

7504. So they were knocked down?—There was no sale.

7505. You only know the fact of Mr. Lowther having given money from those persons who said that?—No; I can enumerate more than one landlord who said the same.

7506. Let us hear the names of the landlords?—Mr. Wilkinson, in Swine-gate.

7507. *Committee.*]—What did Mr. Wilkinson say?—He said that money had been spent at his house.

7508. Mr. *Wrangham.*]—I suppose every innkeeper in the town could say that money had been spent at his house?—Yes, but it was during the canvass.

7509. You say constables were paid at the George Inn, and at Scrowen's in Goodram-gate?—A good many constables were getting pay. Duncombe and Walker's constables in Scrowen's-yard, they were set down at the George.

7510. You saw a good number of them getting paid at Scrowen's?—Yes.

7511. Did you go in?—No.

7512. Where did you see them?—I saw them in the yard.

7513. Did you go into the yard?—I had conversation with them at the door; one or two.

7514. You told us you saw a drunken man going assisted up to the poll by a man of the name of Thornton?—Yes.

7515. To which poll-booth?—In the Guildhall.

7516. Did you go up with him?—I went up as far as the steps with him, and Mr. Dobson.

7517. You say that the two Lyons deserted Mr. Barkley?—Yes.

7518. Had you a conversation with the old Lyon?—Yes, and likewise with another person of the name of Fall.

7519. The old Lyon told you, as a reason for having left your party, that some wealthy Tories had been guilty of sending and applying to him for his vote?—He did.

7520. That some of his neighbours, I think you said, had asked him for his vote for Mr. Lowther, and he had given it?—Yes.

7521. You kept the canvass-book?—I did.

7522. Can you tell us what number of those would be plumpers for Mr. Barkley?—He had no plumpers.

7523. We have heard from him what he considered his strength; if he had chosen to insist on plumpers, can you tell us what numbers he would have had, supposing he had said, "I stand on my own interest, I wish my friends to plump?"—I never took that into consideration for a moment, because the advice was to all parties to split between him and Mr. Dundas; there were numbers very desirous of plumping.

7524. Cannot you make a comparison of that, as you are a good hand at that?—It never was a matter of comparison, because it was never encouraged; in proof of that there was not a single plumper voted.

7525. You say that you were aware what was going on at Mr. Petre's committee-room in 1832?—Sometimes.

7526. About the setting down?—No, I was never in the room.

7527. You

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7527. You were aware of that?—Yes, I was.

7528. With your construction of setting down?—Yes.

7529. That is being set down with a view to their being paid for their loss?—Yes.

7530. It never occurred to you to sign a petition at that time?—If there had been one I should have signed it with great pleasure.

7531. It never occurred to you to set such a petition going?—No.

7532. Mr. Petre and Mr. Bayntun both came in at that time, two of your party?—Yes.

7533. It did not occur to you to sign a petition of this kind until the other side came in?—As the system of purity comes in in other parts of the country we are desirous of establishing it at York; if men have not long purses, there is no chance of their succeeding in York.

7534. Why were not you as anxious to establish a system of purity in 1832 as you were in 1835?—I think there was a very good lesson learnt in 1832; when individuals went beyond their means, it was a very good ground for petitioning to do away with bribery and corruption.

7535. That respects the candidate; but I want to know how it happened that when two of your party in 1832, Mr. Petre, as you say, to your knowledge set down the men with an understanding that they should be paid for their votes, it never occurred to you to petition in favour of that purity of election you are now anxious to see established?—The petition did not originate with me; if there had been a petition then, I should have signed it with the greatest pleasure.

7536. That was the first election after the Reform Bill?—Yes, it was.

7537. Was not that a time at which to be particular in establishing purity of election?—It was; but from the time of the Reform Bill passing to the election there was scarcely time to take the matter into consideration.

7538. You never heard of any petition going forward at that time?—No.

7539. It was known at that time?—Not that I am aware of.

7540. *Committee.*]—Had any letters been sent from the post-office then?—No.

7541. Mr. *Wrangham.*]—But the two sovereigns had been promised?—I am not aware of any promise.

7542. What do you mean by setting down?—That men are to be paid; if a man is set down, he expects to be paid if he votes.

7543. At what rate?—I do not know that there has been any established rule, for they have paid them various sums in my time, I mean the Blues; I never knew them paid by any other person.

7544. Mr. Petre was not Blue, was he?—No.

7545. You say several persons who always voted with the Orange party, refused to promise you when you canvassed for Mr. Barkley?—Yes.

7546. Are you not aware that 160 of the old Orange party plumped for Mr. Dundas, to the exclusion of Mr. Barkley, at the last election; those stupid old Whigs, as they were called?—Not exactly so, the poll-book will tell you that.

7547. Were not those the persons that Mr. Barkley called the stupid old Whigs?—Yes.

7548. You say that you saw in the Castle-yard a number of York voters holding up their hands for Duncombe and Walker?—Yes.

7549. They were in fact non-electors as to that election?—Yes.

7550. Were there any non-electors at the show of hands for the city?—No doubt of it.

7551. How many?—I cannot tell.

7552. Four or five thousand?—Yes, I dare say there were.

7553. You have been asked your opinion what the Reform interest will be greatly advanced by in York; I think you say, when men should begin to reason, you have no doubt the Reform interest will be advanced in the proportion of five to four?—Yes, doing away with the present system of bribery.

7554. And party feeling?—Yes, that will be the natural consequence.

7555. You say that when men begin to reason, you have no doubt the Reform interest will be advanced?—I have no doubt of that.

7556. You are in the Reform interest yourself?—Yes, I am attached to those principles.

7557. And that by the exercise of your reason?—Yes.

7558. Of course no moral person can exercise his reason without being of the same opinion?—I do not say that.

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7559. He cannot exercise his reason rightly?—As long as hopes are held out, men do not exercise their reason in a proper manner, I think.

7560. When you talk of reason, is it your opinion that men who exercise proper reason will be Reformers or not?—Yes.

7561. And consequently your opinion is, whenever they exercise their reason, they will be Reformers?—Yes, always.

7562. That is what you mean by saying that the reformed interest will be advanced in York by their exercising their reason?—Yes.

7563. If any person was so unreasonable as to think that by the exercise of reason the Reform interest would not be advanced, but the contrary, he would, in your opinion, not proceed on the principles of reason?—I speak principally of the lower class of men, who are open to the highest bidder.

7564. Those are the persons of whose exercise of reason you speak?—Yes.

7565. You think the exercise of reason in the lower class would lead them to forward the Reform interest?—Yes, there is not a doubt of that.

7566. Did you take any part in 1835 for Mr. Dundas?—Yes, I did.

7567. Mr. John Dundas?—Yes.

7568. Did he stand on purity of principles?—Not so much as Mr. Barkley.

7569. Did he set down?—I merely know it by report.

7570. You have been speaking of everybody else by report?—I heard he did set down.

7571. Is that in accordance with your feeling of purity?—No.

7572. When did you hear of that?—During the election.

7573. Did it never occur to you when you signed the first petition, to inquire why that circumstance was not mentioned in it?—No.

7574. You were aware during the election that Mr. Dundas did set down, but it never occurred to you to ask why the complaint was not there, and the petition directed exclusively against Mr. Lowther?—Mr. Lowther's name is mentioned, it is true, to show the difference of voting been 1832 and 1835.

7575. The setting down is referred to Mr. Lowther; had you read the petition before you signed it?—I had.

7576. Did it not occur to you as very extraordinary there was not another paragraph, referring to Mr. Dundas and the voters set down for him?—It was not so glaring on the part of Mr. Dundas; the remuneration was not so glaring on the part of Mr. Dundas; it was well known that the setting down was followed by him, but the 3*l.* we found had a very great effect on the election of 1835; it established the very same principle, and which, no doubt, was the cause of Mr. Barkley being thrown out.

7577. Do you present this petition because Mr. Barkley was thrown out?—Oh, no; but if that sum had not been paid in 1832, Mr. Lowther would never have been in York in 1835.

7578. This petition is not a petition to turn Mr. Lowther out of his seat, but for general purposes?—Yes.

7579. I ask you why, as you say Mr. Lowther and Mr. Dundas were setting down voters in 1835, you directed your petition against one and not against the other?—I believe the system was carried on by both.

7580. Then why did not you direct your petition against both?—I approved of the petition, and signed it.

7581. Why did not you petition against one as well as the other?—Mr. Dundas's system of setting down was widely different from Mr. Lowther's, for Mr. Lowther was not satisfied with setting down their own ones, but he sat down in a double sense.

7582. Still I ask you, here is a particular charge brought against Mr. Lowther and his friends which has nothing to do with the double or single sense, but with the voters who were set down; I ask you why, if Mr. Dundas had voters set down, that was not mentioned as well as the other?—I cannot tell you why; I did not draw the petition up; the petition, so far as the wording of it, met with my approbation, and I signed it; but the system of paying would never be followed up by the liberal interest in York if it was not for the Tories.

7583. *Committee.*]—Was your intention in signing the petition to complain of the personal conduct of Mr. Lowther, or the practice of setting down, as one inconsistent with purity of election?—The general principle.

7584. Then does it not appear an inconsistency that you should specifically name in that petition one of the parties who had been guilty of that practice, and omit all

all mention of the name of the other, who you admit was guilty of the same practice?—If a petition of a more general tendency had been laid before me, I should have signed it. I perfectly agree with the prayer of that petition; if it had been more general, I should have signed it. I dare say there are a number of gentlemen signed petitions, because they go part of the way towards their sentiments.

7585. Though you signed it, do you not admit that was an inconsistency?—I cannot say that exactly; so far as the prayer went, I perfectly agreed with it.

7586. Did Mr. Lowther or Mr. Dundas begin to set down first?—Mr. Lowther.

7587. Was it in consequence of Mr. Lowther setting down, that Mr. Dundas began?—I have no doubt of it.

7588. Do you not think it would have been better to have complained of the practice without mentioning names, or to have named all who had been guilty of that practice?—I wish it had been more general, but I have no doubt the act of Mr. Dundas was in self-defence; for it was strongly rumoured, when they got so strong by setting down, they would bring a second candidate down.

7589. That who would bring a second candidate down?—Mr. Lowther; that they would bring a second Tory forward.

7590. Would you have signed the petition if, instead of containing the allusion to Mr. Lowther, it had contained an allusion to both of them for setting down?—Certainly.

7591. Mr. *Wrangham.*]—Did you say anything to the promoters of that petition, when they brought it to you, of that kind?—I cannot say that I did.

7592. What you would or would not have done is a matter of speculation?—No, it is not a matter of speculation, for I would have signed it with the greatest pleasure.

7593. In point of fact, you never heard anything about any of those who have signed this, getting up a petition, setting up this against Mr. Dundas as well as Mr. Lowther?—I would have signed against both if it had been brought to me.

7594. Are you aware of any persons taking any steps to lay before The House a statement affecting Mr. Dundas, as this affects Mr. Lowther?—When I read that petition I was very glad to read the contents of it; the general prayer I agreed with.

7595. Have you yourself, or have you heard that any of your fellow petitioners have taken any steps to carry a general petition against Mr. Dundas for having set down, as you have carried a general petition against Mr. Lowther?—I cannot say that I have.

7596. *Committee.*]—Was your object in signing the petition to draw the attention of the House of Commons to the practice, in the hopes that means would be taken to put an end to it?—It was.

7597. Do you not think that the House of Commons would be more disposed to give attention to such a practice, if the practice were stated to be general, than if it was only the practice of one of the candidates?—The act of Mr. Lowther was voluntary; it was he that set the example.

7598. Do not you think that the House of Commons would be more disposed to give attention to such a practice, if the practice were stated to be general, than if it was only the practice of one of the candidates?—I have no doubt of that.

7599. Do you not think that more would have signed it, if it had been general, than have signed it?—I have no doubt of that.

7600. Did you ever hear of any of Mr. Dundas's voters receiving letters with sovereigns?—No.

7601. Have you ever heard of Mr. Dundas's voters receiving sovereigns without letters?—I cannot say that I heard of any voters of Dundas receiving any favours but for services. I do not know of any other, except those for actual services during the election.

7602. Have you heard of any others?—I have heard there were others, but I do not know myself.

7603. You mentioned two persons of the name of Lyon, who had been members of Mr. Barkley's committee when he first began his canvass, and who afterwards deserted him; what are the Christian names of those two persons?—Lyon, Charles, stay-maker, Minster-gate.

7604. That is the person whom you allude to?—Yes.

7605. What is the Christian name of his son?—I am not certain whether this was the son; I believe it was Thomas Lyon, Minster-gate.

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7606. The two parties are Charles and Thomas Lyon?—Yes, here are a number of Lyons, but I believe this was the son.

7607. You mentioned a person of the name of Fall, who had also been a member of Mr. Barkley's committee, and subsequently left it; what was his name?—John ——, shopkeeper, Peter-gate.

7608. You know him to be the person?—Yes.

7609. Are there any other individuals whom you can specify who were members of Mr. Barkley's committee, and afterwards abandoned him?—I do not say that Mr. John Fall was a member of his committee, but he promised him his vote, and he ran from it, and he gave me his reason for so doing.

7610. You know he promised Mr. Barkley?—Yes.

7611. What was the reason he gave?—He lives very near Mr. Lyon, and he said his customers were such, that if he did not vote for Mr. Lowther, it would be the means of his losing his custom; he deals in milk and cream, and keeps a small pastrycook's shop.

7612. Are there any other individuals you can name who, after being members of Mr. Barkley's committee, subsequently voted for Mr. Lowther?—I have no doubt there are, if I were to look over the list; these men I recollect, from having reasoned with them afterwards.

7613. Are there any other persons with whom you reasoned in the same way?—No.

7614. Did you, in the course of your canvass, endeavour to persuade persons to vote for Mr. Barkley?—No, there was no persuasion any other than general; Mr. Barkley was very decisive in his manner of canvassing; if any man refused, he said, "Very well, the man is able to judge for himself."

7615. Did you, as one of his committee, do so?—No, Mr. Barkley would not allow any man to interfere, he would not allow us to trifle with a man's judgment.

7616. Did you not inform the Committee that you were on Mr. Dundas's or Mr. Petre's committee?—No.

7617. Did you canvass for them?—I merely went round.

7618. Did you never make application to any one for votes?—No, except in a general canvass; they will say, "There is a number of individuals whom we have not yet seen, will you be kind enough to see which way they are inclined to vote."

7619. Do you mean to say, when you take up a district you merely wait upon the persons to ascertain which way they intend to vote, or that you go to them with the intention of persuading them to vote for the candidate?—Merely to ascertain which way they intend to vote.

7620. Is it not the object of the friends of a candidate to endeavour to persuade as many voters to vote for the candidate as they can?—No doubt some members will feel a greater interest than others.

7621. Did you ever hesitate to use your own influence?—I have no influence that I can control a single vote in York.

7622. Have you never used persuasion to induce a voter to vote for a candidate whose cause you espoused from principle?—No, never.

7623. The elder Lyon gave a plumper for Mr. Lowther?—Yes, he did.

7624. He stated his reason for doing so, to be the influence used by wealthy individuals?—Yes.

7625. Do you believe that to be his reason?—Yes.

7626. You do not think that he went over to be employed to hold up his hand at the Castle, at the county election?—I do not; I think he is a man who would be led either way easily.

7627. Is he a man that the being paid to hold up his hand at the county election might be supposed to influence?—I think not.

7628. Do you know that Charles or Thomas Lyon received sovereign letters?—I do not know.

7629. With respect to setting down, suppose a man is set down on a list, and subsequently does not give his vote, would he then be paid?—No.

7630. Then the payment which is made, supposes that the person set down afterwards votes for the person who sets him down?—Yes.

7631. That is your understanding of the phrase?—Decidedly.

7632. What do you mean by Mr. Dundas setting down for services?—I do not know that I have made the observation setting down for services; if I have, I should say he set them down for the object of securing the votes of the parties.

7633. Whatever

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7633. Whatever services the parties set down might render, if they did not vote they would not be paid?—Certainly not; only those that voted were paid.

7634. You mean to say, that setting down is a means of purchasing a man's vote?—Yes, decidedly.

7635. Have you the least doubt that is what is understood throughout the city of York, as setting down a man's vote?—I have not the least doubt of it; they do not consider themselves secure of being paid unless they vote.

7636. Is there a general impression in York, that Mr. Dundas and his family would be very glad if that system was done away with?—I believe there is, it is pretty general.

7637. Suppose any man were to ask you whether you had gone and been set down in anybody's list, would not you suppose he meant to ask you whether you intended to sell your vote?—That is the sense I should put upon it.

7638. Do you know whether both the Lyons were set down?—I cannot speak as to that.

7639. Do you believe the practice of setting down in York has prevailed during many elections?—Yes.

7640. You have lived there many years?—I have been resident there since 1828; but I have no doubt it has been pretty generally the system.

7641. Do you know of any petitions against any gentlemen who have been returned, for bribery, arising out of the practice of setting down?—I do not know any.

7642. You were set down yourself, in Mr. Petre's election, in 1832?—No.

7643. Nor for Mr. Dundas?—No.

7644. Were you a member of Mr. Petre's committee in 1832?—I was.

7645. Were you present at any meeting of his committee, in which the question of the prudence of his setting down, or the necessity of it, was discussed?—Yes, I was.

7646. Did not you take any part in that discussion?—No, I do not know that I did.

7647. What was the point determined?—It was determined that they should have recourse to the setting down; that if they did not do so, he would lose his election.

7648. When the setting down was discussed at that election, did both parties treat it in the light of an understanding that the votes so set down should be paid for afterwards?—Yes, certainly.

7649. Was that understanding considered at the time as a moral offence; was that the impression that prevailed?—There was a great proportion of the town, I have no doubt, were of that opinion.

7650. Were they at that time?—I cannot speak as to that time particularly.

7651. You have understood that those persons whose names were set down were useful, or gave up their time to the processions and the business of the election generally?—As to processions, I should think they would all attend a procession; but as to the business of the election, I should think not one in four of those set down would attend, scarcely so many.

7652. Do you think that not one in four would be employed in going round in the canvass or the different occupations of the election attending the candidates?—Not more than one in four at most.

7653. That they would not attend on the canvass, or the committees, or in protection of the committees in case of any violence?—I should say that which I stated before, that previous to the election not more than one in four would attend.

7654. You recollect there was a good deal of violence in 1832?—I cannot say that there was; there were a number of Mr. Lowther's windows broken.

7655. Do not you think that the men set down would be ready to protect those windows when called on?—I do not think that is understood at all when a person is set down, that he is to be called on.

7656. Those who think differently from you, you think are in the wrong?—Decidedly; there are a number of men specially appointed for that, what they call their body-guard.

7657. Do not you think those processions and body-guards walking about the streets increase the excitement, and make it more likely there will be riot and disturbance?—Yes, without doubt.

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7658. Do you think while these things continue, any but a person of very large fortune can become a candidate for the city of York?—Certainly not.

7659. A petition for putting an end to these things would be very unpopular in York?—Yes, no doubt of it; there are a great many of the voters in York who would regret that.

7660. Do you remember the time when the sovereign letters were sent round in York?—I do.

7661. Do you know any of the individuals who received them?—Yes.

7662. Can you state the names of any?—Yes, I can.

7663. How do you know they received them?—I know that by their own account, by conversation with them.

7664. Do you mean the parties who told you they had received letters with a sovereign?—Yes.

7665. What did they state to you was contained in the letters?—Two sovereigns.

7666. Can you give the names of any of those people?—There is a Richard Robinson, a basket-maker, and a Rickarby.

7667. Robinson, the basket-maker, told you he had received a letter with two sovereigns?—Yes.

7668. That you are positive of?—Yes.

7669. Where does Robinson live?—In the Foss-gate.

7670. Do you remember any others?—George Johnson, of Grape-lane.

7671. In what point of view did those persons consider the letter; from whom did they suppose the letter came?—I never heard but of one opinion, that they were sent in consequence of plumping for Mr. Lowther.

7672. Did you hear several different persons give that interpretation to them?—I was at the post-office on Good Friday morning, one of the days on which letters were sent; there were a number of persons inquiring for them, they wanted the Lowther letters; others went away complaining that it was not right they should be sent to others and not to them.

7673. Did you hear those persons who were inquiring for letters using this language?—I did.

7674. Do you recollect the name of any other persons who told you they had received the sovereigns in letters?—I have no doubt I could if I refer to the poll-book.

7675. You mentioned the name of Rickarby?—Yes; on referring to the poll-book, I think I am not quite correct; yes, here is his name, "Rickarby, William, cordwainer, Pease-gate."

7676. Is it not from finding his name in the poll-book you get the certainty that he received it?—I know the house where he received it.

7677. The question to you was, did he tell you that he received two sovereigns?—No, he did not tell me that.

7678. Did Robinson tell you that he received two sovereigns?—Yes.

7679. You say you know this as to Rickarby, by knowing the house in which he received it?—I do not say I had conversation with Rickarby; I said I had conversed with Robinson with respect to Rickarby. I know he received it.

7680. What means have you of knowing that he received it?—Because he received it in the presence of a person of the name of Wilkinson. Mr. Wilkinson informed me.

7681. Where does Wilkinson live?—In the Swine-gate.

7682. What did Wilkinson inform you?—That Rickarby had received two sovereigns.

7683. Did he tell you how he knew it?—By a letter which had come to him, enclosing two sovereigns.

7684. Did he tell you what place this letter came to him?—It came to his residence in Pease-gate, I suppose.

7685. Did not you say you knew he had received it, because you knew the shop where he received it?—He mentioned it to Mr. Wilkinson that he had received two sovereigns, and Mr. Wilkinson informed me he showed the letter in Mr. Wilkinson's kitchen after he had received the money.

7686. Wilkinson told you that Rickarby showed the letter in his kitchen to him?—Of course he would see it; from the conversation I had with him, I fancy he had seen it.

7687. You believe that Wilkinson saw the letter?—I should fancy so.

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7688. You are not sure that he told you he had seen it?—He told me that Rickarby had got the money,

7689. That is the most accurate account you can give of the matter?—Yes.

7690. Can you mention any other?—There are hundreds, but I do not speak to a certainty.

7691. Had you been often in the habit of meeting the voters at York about that time?—Of course, being the canvass clerk amongst them during the election.

7692. Have you not been much amongst them since that?—No, only in my own occupation.

7693. Supposing 500 or 600 letters to have gone to the electors at York with sovereigns in them, is it not remarkable that only two should come to your knowledge?—Not at all strange; no doubt they were sent to a dozen in the street in which I reside, but I cannot state that with confidence; I should not wish to do that unless they came within my own immediate knowledge; these are matters of which we have no doubt, which we cannot prove.

7694. You believe there were hundreds?—Yes, no doubt of it.

7695. Can you mention the name of any one?—There was John Collier got one.

7696. Do you speak of a man whom you believe to have got the money?—I do not speak with certainty, but I have no doubt you will find his name in the list.

7697. He did not inform you he had got the money, but you heard it from some one?—Yes.

7698. Was this the reason you believe he had the money, because you knew he voted for Mr. Lowther, and was the man in that condition of life that he would accept the money if sent to him?—Yes; but those letters created a great deal of surprise and conversation in the town, and there were very few in different streets in York but who were known to have received money; it was mentioned that such a man had got a letter that morning.

7699. Was Collier's name mentioned to you?—Yes, it was.

7700. Can you tell by whom?—No, I cannot; but I have no doubt you will find his name in the list.

7701. Do you mean the list of voters?—No, the list of those who received the money.

7702. Where does Collier live?—Collier, John, in Sampson-square.

7703. Does Davy-gate join Sampson-square?—It does; there is a person of the name of Edmonds.

7704. Where does he live?—In Davy-gate.

7705. He received two sovereigns?—Yes, I have no doubt you will find he did. I merely go from the report in the neighbourhood at the time.

7706. You have given the general report as to Edmonds, but do not know from whom it came?—No, it was matter of general conversation, and I heard of Thomas Hodgson in Davy-gate.

7707. Can you state from whom you heard the report of that?—No, I cannot.

Re-examined by Mr. Hill.

7708. You have been asked as to the meaning you attached to the phrase "setting down;" supposing a person were to have his name set down, and were to follow all the processions of the candidate for whom his name was set down, and yet not to vote for him, would he be paid?—No, if he had a vote to give.

7709. My learned friend has asked you whether you think that the lowest class by exercising their reason will become reformers; what in your opinion are the political opinions now of the humbler class of voters in the city of York, whether they are reformers or not now?—I believe, on the experience I have been able to obtain, that the majority of voters in York are liberally inclined in their politics, but that they lean to the contrary side merely for the sake of gain; politically speaking, they are liberally inclined.

7710. You said that you had heard of Mr. Dundas setting down at the last election, and you heard of some persons being paid for actual services; what do you mean by actual services?—Being appointed as messengers; persons attending the committee.

7711. Does that follow on merely having the name set down, or is it a special appointment?—I should suppose that the parties who received that money, had been set down according to the former practice of setting down.

7712. As well as being set down, was there any engagement made with them that they should be special messengers?—No doubt of that.

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7713. You said that you had heard that some persons had been paid who had not been special messengers, but only set down; from whom did you hear that?—From the Blues.

7714. *Committee.*]—Is it your understanding, that persons who were set down received indiscriminately the same payment, whether they had given their time as special messengers or had not done so?—Certainly.

7715. What is the inducement to persons to give up their time, if they would receive payment equally, whether they did or not?—That I cannot say.

7716. Are not persons who act as special messengers and do real services, paid something beside that which others do that are set down?—Certainly, they would be paid extra.

7717. You think that if a man is set down and performs actual service, he is paid in two ways, once for voting, and once for what services he may render in running about, or any way?—Yes.

7718. Then is it the practice to make an engagement with them as special messengers, in consideration of which they are to receive this extra pay?—I cannot say; but I have no doubt they do receive as such.

7719. The payment as special messengers, is not in consideration of the agreement when they are set down?—Certainly not.

7720. Do you know of any individual person who received money for his services as a messenger?—I do not know of my own knowledge, only from report.

7721. You have stated that a considerable number of persons who promised Mr. Barkley, flew from their promises; have you any means of knowing what proportion of those received Blue letters or parcels?—I have no doubt a good many did; I have not a list of those who promised, but if I had my canvass book here, I could tell.

7722. You know only of three persons who did receive sovereign letters?—I beg pardon, I cannot tell with reference to what this person and the other person told me; but I can go only on general rumour in the town, and what persons told me at the time.

7723. You have stated, that if this system of corruption continues, no person, unless he has a large fortune, can become a candidate for the city of York?—Certainly

7724. You mean that there will be no chance of his being elected?—Exactly.

7725. Supposing that Mr. Lowther had not set down at the last election, would you have thought that Mr. Barkley had a good chance?—I consider that if Mr. Lowther had not set down, he had a very good chance of succeeding.

7726. Do you know the whole amount of Mr. Petre's setting down in the election of 1832?—No, I do not.

7727. You have given the name of Thomas Hodgson as one of the parties; what is his occupation?—I think he is put down as a yeoman; he keeps cows and a small shop.

7728. Are you sure it is Thomas Hodgson?—If I may be allowed to refer to that book, I will state; I cannot speak, without it.—[*The Witness referred to the book.*] I see his name is Henry Hodgson, a cowkeeper.

7729. Are you sure that that Hodgson keeps a cow?—Yes, or cows; he sells milk.

7730. Do you think that the objections to this impure mode of election have increased in the city of York since 1832?—Yes, I have no doubt of it.

7731. Do you think Mr. Barkley, coming forward on the principles he did, could have polled 919 votes in 1832?—No, I do not think he could; I am certain he could not.

7732. Can you draw any correct inference as to whether the corruption of which you complain is more prevalent among the freemen or the 10*l.* householders?—I cannot speak as to that; it is difficult to ascertain what 10*l.* householders there are who are not freemen.

[The Witness withdrew.

Mr. *John Moxom*, called in; and Examined by Mr. *Hill*, as follows:

Mr. *John Moxom.*

7733. ARE you a printer?—I am.

7734. Are you a reporter also for the Yorkshireman newspaper, published in York?—I am.

7735. Do

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7735. Do you remember the evening that the news of the presentation of the first petition by Mr. Aglionby came to York?—I do.

7736. Did you meet Mr. George Hudson that evening?—I did, near the Minster-gates.

7737. Had you a conversation with him on the subject of that first petition?—I had.

7738. You need not tell us the whole of the conversation, but such parts as have reference to the payment of the voters, if there were such parts?—He said, "I know very well that if they had not paid the voters, they would have had the houses about their ears, or some of them."

7739. Whom did you understand him to mean by "they?"—The Blues.

7740. Did that appear from the prior part of your conversation?—Certainly; and he stated, "We think it a much better plan to let them have the money at their own houses, than take them from their work and pay them at a public-house;" and I said "Decidedly, because many a family will then reap the advantage of it that otherwise would not;" and he said, "Exactly so."

7741. Were you in York when the sovereign letters were received?—Yes.

7742. Was a great sensation produced by them?—A great sensation.

7743. What were they called by the people?—Blue money and Lowther's sovereigns.

7744. Do you mix enough with the people to know whether or not they were considered as a payment for the votes that were given to Mr. Lowther at the prior election?—I never heard it doubted.

7745. Was that the general impression?—It was the universal impression, I believe.

7746. Do you know Thomas Foster, a tailor?—Yes.

7747. Do you know where he lives?—He lives in Stone-bow Buildings, in York.

7748. Did he say anything to you about the letters?—He did; he came to me in liquor one day, and asked me when Mr. Petre paid; that he had been put down, but not paid for Mr. Petre; and I said, on Tuesday. I then said, "You have got your Lowther money, I presume;" he said, "I do not know whose money it was, but I will tell you all about it. The postman brought a letter to my house. I opened it, and found two yellow boys in it; and I called to my old woman, and said, here are two yellow boys; give me two shillings for them to drink Mr. Lowther's health; she did, and I drank his health."

7749. What did you mean by saying that Mr. Petre's money was to be paid on the Tuesday?—It was only a joke. I recommended him to go and get set down for Petre, or else we should not have had his vote.

7750. What did you say to him when you gave that recommendation?—The fact was it was in 1832; he was very indignant at the Tories turning their backs on Bayntun, and he was determined to vote for Bayntun, and would not vote for Dundas, and I advised him to set down for Petre, and I said I would go with him.

7751. Had he any difficulty in understanding what was meant by setting down?—He perfectly understood it.

7752. Did he require any explanation of what was meant by setting down?—No, he perfectly understood it, and so did any man in York; it would be a gross libel on any man a little removed from idiotcy to suppose he did not.

7753. Did you apply to Mr. Sheriff Meek on behalf of somebody who had voted for Mr. Dundas at the last election?—Yes, I did.

7754. When?—I had heard that some messengers had been paid, and a man applied to me; I also got that man put down at the last election.

7755. Did you go to Mr. Meek about it?—I did.

7756. What is the man's name?—William Smith; he is a carter at Peaseholm-green.

7757. Did you take him to Mr. Meek?—No, I went alone.

7758. Did you get anything from Mr. Meek for him?—No.

7759. What did Mr. Meek say?—He said that his plan was to pay no one but those he had seen actually employed, and he knew nothing of this man. I assured him I saw him actually employed as a constable. He said, he did not dispute my word, but he would pay none but those he had in his book, and had seen in actual service. I mentioned that circumstance to Mr. Hudson that night; I said to him, "Mr. Hudson, as treasurer of Mr. Lowther's committee, you will be sure to go up." He said, "Well, if I do, I will answer every question without

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hesitation, for I do not know of a single shilling having been paid except for a legitimate purpose." I smiled, and said, "It is rather singular what you call legitimate, you Tories."

7760. Did he explain the Tory meaning of the word "legitimate" to you?—No.

7761. Did he say who began to pay first?—He said that Mr. Dundas paid first, and that led to his saying they were compelled to do the same; that Mr. Dundas paid first; and that I knew that. I said, I did not know that they had paid a shilling; I had only heard of it.

7762. That led him to say, if they had not paid they should have had their windows broken?—Their houses about their ears.

7763. After the letters came round, did you see James Spetch?—I did.

7764. Had he been one of the doorkeepers for Mr. Lowther's committee?—He told me so.

7765. Do you know where he lives?—He lives in Coney-street.

[The Witness was directed to withdraw.

Mr. *Wrangham* objected to any evidence of the conversation with Spetch, no evidence having been given of any connexion of Spetch with the Lowther party.

Mr. *Hill* was heard in defence of the question, and stated, that Spetch was one of the parties charged, and who had had notice of the inquiry.

Mr. *Wrangham* was heard in reply.

The Committee determined that the examination might be proceeded in.

The Witness was again called in.

7766. Mr. *Hill.*]—Will you proceed to inform the Committee what was the conversation between you and James Spetch?—The subject of the sovereigns was the general conversation throughout the city, and knowing he had voted for Mr. Lowther, and nearly always having voted on the other side, I mentioned that to him, and said, "James, you are getting a sovereign letter." He says, "Yes, here they are," and he showed me the sovereigns, and he said, "That is over and above 25 days pay as a messenger; I was a doorkeeper." I think it was 25.

7767. A certain number of days; you think 25?—Yes; because I remarked on the immense number to Mr. Hudson that night; in that conversation I mentioned it to him.

7768. Did you mention Spetch's name to him?—I did.

7769. What did he say to that?—He said he did not exactly like Spetch to have been at the office, that he liked to have those there that had been on their side for a long time. I believe they generally choose for doorkeepers those who have been universally on their side.

7770. Are you now saying that which Mr. Hudson said to you?—Yes, I am; Mr. Hudson said he did not like Spetch to be there; the other is my belief.

7771. He did not explain to you why he did not like Spetch to be there?—No, he did not.

7772. Was he formerly one of the Orange party?—I believe always till 1830 he voted for Mr. Bayntun.

7773. Is he an old man?—He is a very old man.

Cross-examined by Mr. Wrangham.

7774. Is Mr. Hudson in the habit of consulting you on matters of that kind?—No, he did not consult me; we frequently converse with each other.

7775. On the details of elections?—No, not on the details; we frequently joke when we meet; I have known him 18 or 20 years; it was in consequence of the presentation of the petition.

7776. Is he in the habit of asking your opinion as to the mode of remunerating voters?—No, certainly not.

7777. This was an exception?—Certainly.

7778. Will you take upon you to tell us the exact words?—I am sure I cannot; I can tell the substance. He said that I knew well that our party had paid first; I said, "I know no such thing;" he says, "But they did; and if we had not paid, you know

very well we should have had, or some of us would have had, our houses about our ears."

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7779. Did you understand him to be speaking of the conduct of the two parties?—He was speaking then of the Blues.

7780. He said, "You know your party paid first, and that if our party had not, we should have had our houses about our ears?"—Yes; exactly so.

7781. Was that all that passed?—No; he then said, "Do not you think it is a much better plan to send the money so that they receive it at their own houses, than to take them from their work and pay them at public-houses?" and I said, "Certainly."

7782. When was this?—I had just come from the news-room reading Mr. Aglionby's speech; it was, I think, on the Wednesday night.

7783. It was two or three months after the letters passed through the post-office?—Yes.

7784. He was asking what you thought of a matter which was perfectly notorious, as you say, the letters having been passed through the post-office?—It was known to every child.

7785. You were comparing your opinions as to whether that was a wise or a good plan?—Yes.

7786. He said he thought it was a wise plan, and you said you thought so too?—Yes; because many of the poor families would get the benefit of it, and I said, "Exactly so."

7787. Then in that you agreed?—Yes.

7788. You say it was Thomas Foster who came to you when he was drunk; was he very drunk?—No; he has frequently come to me when he had liquor, about Petre's money.

7789. Why did he come to you about Petre's money?—Because I got him set down.

7790. Had you anything to do with setting people down?—No; I remarked to him when he went, "I am very sorry you are obliged to have recourse to it."

7791. But having recourse to it, you sent him there?—I got him, or we should not have had his vote.

7792. Did you send others?—No; I am pretty clear I did not.

7793. You would not have refused to send another?—We were acting on the defensive entirely.

7794. You would have had no scruple in directing a person to go and be set down?—I would, rather than lose the election.

7795. That was in 1832?—Yes.

7796. Was he drunk when you set him down?—I do not think he was exactly sober.

7797. You took advantage of his senses being a little out of order, to get him set down?—No.

7798. You say he was not sober?—He was not drunk.

7799. What was he then?—He was a little excited with liquor.

7800. A little fuddled, perhaps?—I am sure I cannot recollect just now.

7801. You say he was not altogether in possession of his full senses?—I do not; I said he was a little excited with liquor.

7802. He was not drunk, and he was not sober?—No.

7803. In this state, between drunkenness and sobriety, you got him set down for Mr. Petre, because you thought he would escape?—I do not think he would have voted for him.

7804. When he got sober?—I am sure that he would not go from his word.

7805. It is like enlisting a man; when you can get him enlisted, he will stick to his colours?—He would not have voted for Mr. Lowther at that time; he might have plumped for Mr. Bayntun; he was too much disgusted with the party, though I believe he had been always of the party.

7806. There were a great many who were disgusted with him at that time?—And with his committee.

7807. He was very unpopular at the time?—Yes; but it was his committee that rendered him so.

7808. I do not care how he was rendered so, but he was so at that time?—He was.

7809. Do you know that he was obliged to leave the town at one part of the canvass?

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canvass?—No; he left the town on the second day of the election, when he found he could not get in before the poll closed.

7810. You never heard of his being obliged to leave the town during the canvass?—No; I never heard of it before.

7811. You never heard of his windows being broken?—Yes; I saw that.

7812. That was the mode the people of York took to show their sense of his unpopularity?—It was not him, but it was his committee having forsaken Mr. Bayntun, because he had no money.

7813. You are not aware of any violence towards him?—No.

7814. Did you ever see any violence towards Mr. Ronalds at this time?—No.

7815. Not in passing Dundas's committee-room?—No.

7816. Do you mean to say you were not a party urging the mob to attack Mr. Ronalds at the last election?—No such thing.

7817. Do you mean to say you have not admitted that since you came to London?—No, I am certain I have not; it was in 1832.

7818. You admit you were a party to an attack on Mr. Ronalds in passing the committee-room?—No, it was in Walm-gate, on the second day of the election; we were getting up voters; the women in the street were very much excited, and said, "There is one of the rascals that robbed poor Bayntun, and now he is bribing the persons against him." They got hold of his coat and threw mud at him, and I laughed at it, and said, "Stick close to him, he deserves it."

7819. I suppose your encouraging these women to stick close to him and throw mud at him arose from your love of purity of election?—I am sure I do not know.

7820. Do you conceive that is the mode to encourage purity of election, to encourage women to throw dirt at a man?—I think it very wrong to do it, and should not have done it but under very great excitement.

7821. Were you very much excited?—Yes.

7822. In the same way your friend Foster was?—No, that was the last day; we had no time to lose; we heard Lowther's money was going in every direction, and it was our duty to get up every voter we could.

7823. And to beat down every voter you could?—No.

7824. But you encouraged the women to belabour him?—One woman had hold of his coat, and another threw dirt or cabbage-stalks at him; I declare I had forgotten it till I was reminded of it by one of the witnesses.

7825. They were pretty much the same thing, I suppose, whether cabbage-stalk or dirt, the cabbage-stalks in a state of decomposition?—I cannot say.

7826. But you applauded their conduct, and exhorted them to go on?—I did not exhort them to go on.

7827. Is it not pretty much the same thing, telling them to stick to him?—I did say that.

7828. So much for 1832. There is another friend of yours, Mr. Smith, you did a good turn for him at the last election; you say you got him set down for Dundas?—I did, as a constable; I understood that Mr. Dundas had made a proposition to Mr. Lowther not to have any constables, and it was refused, and then they began to set down the constables and messengers, and knowing him to be a poor man, I said I would get him set down, and I saw him at work.

7829. Is your understanding of setting down, setting down as constables and messengers?—Yes; but the general acceptation is that they shall be paid if they are set down, whether they work or not.

7830. Some of them do work?—Yes, I believe some.

7831. Some use it in one sense and some in another?—Perhaps they might; I understand that none but those who performed services were paid by Mr. Dundas.

7832. You are reporter for the Yorkshireman?—I am.

7833. You were connected with the York Herald?—I was, for 22 years.

7834. They are on the same side in politics?—Yes.

7835. Did you ever see your friend Mr. Spetch at the Herald office?—Yes, he worked there for many years.

7836. He was also in the employ of the York Herald?—Yes.

7837. That paper is very strongly opposed to Mr. Lowther?—It is a Whig paper.

7838. Have you any doubt it is opposed to Mr. Lowther?—No.

7839. How

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7839. How long have you been connected with the Yorkshireman?—Ever since its commencement.

7840. Do you know who are the authors of articles in that paper ever?—Sometimes.

7841. What situation do you hold?—I am book-keeper and reporter.

7842. Just look at that beginning "The petition against Mr. Lowther's return;" can you tell us who is the author of that?—I cannot; I condemned it very much; I asked my brother whose it was, and he said I had no business with it; he is the publisher.

7843. Are you aware that Mr. Anderson is a proprietor of the Yorkshireman?—He is; there are a great number of proprietors.

7844. *Committee.*]—You were understood to say you concurred with Mr. Hudson in thinking that the payment of the sovereigns by letter was preferable to paying the parties at a public-house?—Decidedly.

7845. Did you consider that the money sent by letter was the payment of the setting down money, which is usually paid to the parties personally at the public-house?—I understood from many who had got the letters that they had never been set down at all, but they had voted for Lowther; I believe there is not a single exception; I believe no person did not vote for Mr. Lowther got the money by letter.

7846. Did you consider that payment so made by letter as the same description of payment of the setting down money as usually takes place when the practice still prevails?—Yes.

7847. You did not consider it to be a payment of an unusual description in itself, but that the mode of making the payment was unusual?—No; I considered it was a payment for voting; voting money which was usually paid, but that they had taken this secret plan of paying at this time.

7848. You do not think this a payment over and above the usual setting down money, but an unusual mode of effecting the payment?—Yes; but for the votes, not for service.

7849. Spetch told you he had received his sovereigns?—Two; he showed them me.

7850. He had been emyloyed how many days?—I think 25; I know it was a great number.

7851. Of course the sovereigns would not be an adequate payment for those 25 days?—He told me that was over and above that.

7852. You consider that two sovereigns would not be an adequate payment for those 25 days?—No; he told me he was perfectly satisfied with what he got before.

7853. Foster the tailor asked you whether Petre would pay, and you told him he would pay on Tuesday next?—On Tuesday.

7854. You did not mean to deceive him by saying that?—He knew it was a joke, that I was joking with him; it had been so often reported that he would pay on Wednesday or Tuesday, that he took it as such.

7855. When he told you about some yellow boys he had received, supposing that was a joke, you would not consider he was deceiving you?—No, I believed him.

7856. For aught you know, he believed you?—No, I am sure he would not, there had been so many jokes about it.

7857. When you met Mr. Hudson, did he know what you have been telling us, of your being an active partizan of the Yellow interest?—Oh! yes.

7858. He knew that when he met you and talked with you?—Yes.

7859. At the time he told you, it was better to pay those men at their houses than openly at a public-house?—Yes; he knew, and had done for years, that I was on the other interest.

7860. Suppose it should turn out that Mr. Hudson was joking with you and sending you away on a fool's errand, should you think he had committed any great offence, would not you think it was a fair mode of treating you?—Perhaps he might, he might joke with me if he liked; but I am sure he was not joking.

7861. Would it not occur to you, that it would be more likely, knowing you were a political partizan on the other side, that he would talk to you in the same manner as you talked to Foster the tailor, than give you an intimation of what he was doing?—No, it was never disputed in York by any party that it was considered Blue money.

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7862. You say you got Smith set down, you used the term setting down?—Yes.

7863. He was set down to act as a constable, and did act as a constable?—I saw him on the Saturday with a staff in his hand.

7864. You were understood to say, that the term setting down, as understood in York, means putting down a man to be paid for his vote without service?—In some cases I have known it said Petre is setting down, and Lowther is setting down, and so on; it is then considered that whether you serve or not, if your name is in the book, you will be paid.

7865. Did you not say a man must be an idiot, who, living at York and hearing the term setting down, did not consider that that means setting a man down to be paid for his vote?—Yes.

7866. Then how came you to use the same term in another sense?—I did not use it in any other sense that I am aware of.

7867. The two senses described are, first that of putting a man's name down in order that he might be paid for his vote, and next the sense in which you used it yourself in speaking of Smith, that you got him set down that he might act as a constable?—Yes, or a runner, or anything; some years ago it was so notorious, there were parties paid, I have seen the money paid publicly out of the windows of the inn, it was never considered of any consequence whether they rendered any service or not; but since Mr. Thomas Dundas refused to stand on any other ground than purity of principle, it became matter of some doubt.

7868. You mean to say the term setting down might be understood in two senses?—Yes it might.

7869. Then is the Committee to understand according to your knowledge of the fact, that when a man is set down he is equally paid, whether he acts as constable or not?—No; I believe they are paid different sums.

7870. Can you give any more correct information upon that point?—I think not, I did not take any very active part myself, for we are always too busy at elections.

7871. It is understood that a certain sum is paid if the party votes for the candidate?—Yes.

7872. And that he is paid over and above for any actual service he renders?—Yes, that was the case I know in 1820.

7873. Then what is called the setting-down money, is independent of that?—If you are set down as a runner, and are running, you are considered as set down as a voter too.

7874. Did you sign either of these petitions?—I did not; I did not see the first at all; I saw the second, that drawn by Mr. Samuel Tooke.

7875. The sending those letters round appears to you a new system of bribery?—No; it was the old system under a new form.

7876. Did you notice more drunkenness at the last election than on former elections?—No, they were about the same I think; but I understood the greatest degree of drunkenness existed during the night after the first day's polling. I never witnessed that.

7877. Do you think it was about the same as on former elections?—I think about the same.

Re-examined by Mr. Hill.

7878. With respect to drunkenness, had you an opportunity of witnessing things on the first day's poll?—Yes, I think I had; I consider there was not less drunkenness than at previous elections.

7879. Was there a good deal?—There always is.

7880. Were you about much the first day of polling?—No, I was not; I polled early and went to the office, and attended to my business.

7881. Then you would hardly have an opportunity of seeing?—I went to my dinner and tea.

7882. I only want to know whether you had an opportunity of seeing?—I think scarcely.

7883. *Committee.*]—Did you pass through many streets in going to your dinner and tea?—No, not many; the Market-place and St. Saviour's-gate, a very quiet place.

7884. Is there a polling-booth in the Market-place?—Yes, there is a booth there.

7885. Mr. *Hill.*]—One word as to the setting down; suppose a person says that

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that Mr. Lowther or Mr. Dundas is setting down, without telling you any more, what do you understand by that?—I should consider that, if I went and put my name down, I should receive a sovereign if I gave one vote for Mr. Lowther, or if I gave a plumper that I should receive two.

7886. Suppose that you not only gave him a plumper, but worked daily at some station appointed to you, a district or general committee, and that you were there from morning to night going with messages and letters, actually at work in any other matter that might be pointed out to you, should you, according to the custom of elections at York, consider yourself entitled to so much per day for your time?—I should.

7887. Would that be independent of setting down?—Independent of voting-money.

7888. Suppose, having been set down, generally you walked about in processions and attended to the candidate, and assisted him till the voting came, and then changed your mind and voted against him, should you conceive you had any claim to the setting-down money?—Oh, certainly not.

7889. *Committee.*]—Are you a voter?—Yes, I am a freeman.

7890. Were you ever set down?—I was, I believe, in 1820; I know I got 2*l.* or two guineas.

7891. Is the city of York free from drunkenness at other times?—No.

7892. Are there other occasions on which the citizens of York get drunk?—Yes.

7893. Perhaps that might be a Saturday night?—Yes, and the races.

7894. Has drunkenness been conspicuous to a casual observer on such occasions?—Certainly.

7895. At times when the people furnish themselves with liquor at their own expense?—Yes, at the fairs and races, and so on.

7896. People furnish themselves with liquor at their own expense?—Yes; York is the same as other places.

7897. Do you think there is as much drunkenness during York races as during the last election?—No.

7898. The York festival for instance?—No; they are not in the habit of getting drunk then, they are too busy.

[The Witness withdrew.

It appeared, on inspection, that the name of James Spetch, of Coney-street, is in the list of Post-office letters.

Mr. *William John Walker*, was called in, and Examined by Mr. *Hill*, as follows:

Mr. *W. J. Walker.*

7899. WHERE do you live?—At Mickle-gate, York.

7900. What are you by trade?—A plane-maker.

7901.—Do you remember hearing of the circumstance of the sovereign letters at York?—Yes.

7902. A few days after you had heard that they were come, were you in the reading-room of the Society for the Diffusion of Political Knowledge, at York?—Yes.

7903. Was it stated in the room that it would be necessary to procure some of the letters?—That was said in the room when I was there.

7904. For the purposes of this petition?—They were getting up the petition at the time.

7905. You have an apprentice of the name of Walker?—Yes.

7906. Did you get a letter from his father?—The boy, after his father had received the letter, brought it to my shop to show me.

7907. Did you try to get other letters?—I got another letter.

7908. Was that the first letter you got.—[*A letter being shown to the Witness*]?—Yes.

7909. Who gave you this?—One of my apprentices brought that to my shop to show me; it was the son of Peter Walker.

7910. Has it the marks of having had sovereigns fastened in by some glutinous substance?—It has the impression of the sovereigns in gum.

7911. As if they had been fastened in by gum?—Yes.

7912. You were going to tell us of a second letter; where did you get that?—I got the second letter at a public-house in Goodram-gate.

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7913. Whose public-house?—They called the landlord Taylor.

7914. Do you remember the sign?—I think it was the Fox.

7915. That was not a house you frequent?—Yes, but I do not look at the sign when I go in.

7916. Did you find any person drinking there; did you find John Palmer drinking there?—He was drinking there when I went in.

7917. In consequence of the information you received, did you ask him about any parcel he had received?—I had not seen him since the election, and as he had always voted with the Orange party, I questioned him about the reason he turned; he said the reason was that Mr. Hanson would not put him down as a poll-clerk, and therefore he turned; it was one of our sheriffs, Mr. Hanson.

7918. Did he say what he had got for turning?—No; he said he had got two sovereigns, and he had been on spree ever since.

7919. What else did he say, or what did you say to him?—I questioned him about his letter, and he said he would give me his letter if I would give him a quart of ale.

7920. Did you give him a quart of ale?—I did.

7921. What did he do?—He pulled a letter out of his pocket, and it was the inside; he brought that out first; there was no direction to it; I said that was of no use; there was an impression of sovereigns upon it; then he put his hand into his pocket and routed it up and got it out, and when I looked at it there was no post-mark upon it, and I doubted whether it was one of those letters, on which he said he had got it from another quarter; it did not come through the post.

7922. Did he say from whence it came?—No, he would not say where it came from.

7923. Is that the paper he gave to you?—[*A paper being shown to the Witness*]?—It was directed "To Mr. John Palmer, Accountant, ——— Gate;" that was the direction upon it.

7924. You say you cannot swear it was a letter?—I cannot swear to the writing, because I gave it up that night.

7925. As far as you can judge, that was the letter?—As far as I can judge, it was; at that time I went to the news-room to give it to Mr. Leaman, the secretary of the Society for the Diffusion of Political Knowledge; he was engaged in the committee up stairs, and I gave it to a person of the name of Walker, a hosier in Coney-gate, to be delivered to him.

7926. Was Peter Walker's letter along with it?—Yes, I took both at the same time.

Cross-examined by Mr. Wrangham.

7927. What is the Christian name of Walker the hosier?—It is either Henry or Charles, I am not sure which.

7928. Did he sign the petition?—I do not know.

7929. Here is Henry Walker, hosier, Coney-gate?—I do not know about the petition; I did not sign it.

7930. It was in the reading-room of the Society for the Diffusion of Political Knowledge that you determined it was desirable to get possession of some of those letters?—I heard it named there.

7931. The petition emanated from that body, did it not?—I believe it did.

7932. Did you sign it?—No.

7933. How was that?—Because I was not there that night, and did not know anything about it till it was gone off.

7934. You say your boy Walker brought his father's letter to you?—Yes.

7935. Did you desire your apprentice to get it?—No, I knew nothing about it till he brought it; he had received it that morning.

7936. Was this before the Society for the Diffusion of Political Knowledge had resolved they should get letters?—It was the very morning the father received the letter; he took the sovereigns out, and the boy brought it to me.

7937. Was that before the Society for the Diffusion of Political Knowledge had agreed that they should get possession of some letters?—It would be before, for the petition was got up after the letters came, but I did not know anything about the letters going out.

7938. Do you know whether the boy brought that letter to you before the Society for the Diffusion of Political Knowledge had determined they must get some of the letters?—The very morning that the father received the letter, the boy brought it to me.

7939. You

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7939. You do not know the day that the father received the letter?—No.

7940. Was it before or after the conversation in the reading-room of the Political Society?—When they named about Walker, I remember I told them I thought there was one in my shop, and I looked after it and took it the next night to the reading-room.

7941. From the diffusion of political knowledge it never occurred to you that it was hardly fair to the poor boy to use a paper he had brought against his own father?—The paper was lying about in my shop, and I did not know what it was.

7942. You knew his son had brought it?—Yes.

7943. It never occurred to you that it would be a hard thing to make the son the instrument of furnishing evidence against his father?—I never thought about that.

7944. All you know of it is that the boy Walker, your apprentice, brought that letter to you in the morning, and it was thrown into the warehouse?—The boy brought it up to show the men, and I looked at it, and it was left in the shop.

7945. Is the boy here?—No.

7946. Then, except as to the fact of the boy bringing the letter, where the boy got it or when it came, you do not know?—No, I never asked any questions; it was brought up and shown to the men in the shop.

7947. When was it you went into the Fox and the Grapes in Goodram-gate?—It was the night I was taking the letter in, before I went to the news-room; I met with him before I went to the news-room; I went to the Fox and there I got the other letter.

7948. You mean Walker's letter?—Walker's letter I had in my pocket; and I went to the Fox, and there I met Palmer, and got his letter.

7949. Palmer gave you his letter for a quart of ale?—He said he would take a quart of ale for it, and I paid for a quart of ale, and it was drank.

7950. He said you should have the letter for a quart of ale?—Yes.

7951. Did you tell him the use you intended to put it to?—No.

7952. He was on the spree?—He said so himself.

7953. Did he appear to be sober?—He was rather fresh in liquor.

7954. So you tempted a man fresh with liquor with an additional quart of ale to give up a letter, and did not give a hint as to the use intended to be made of it against him?—He told me he would take a quart of ale for it, and I gave him a quart of ale; there was nothing said about what I was going to do with it.

7955. Did not your degree of political knowledge induce you to think there was something underhand in that?—I wanted those letters, and I have got one of them; he offered the other, and I got it.

7956. Did not you think it an underhand transaction to take from a man fresh in liquor, in half drunkenness, this letter, by tempting him with the price of another quart of ale?—He offered to let it go for a quart of ale; I did not offer the quart of ale; I ordered a quart of ale, and it was drank in the parlour.

7957. He drank it?—No, he drank it with others; there were two others there; I got a glass, I dare say.

7958. You met him on the way a little fresh, get a letter from him, purchasing it with a quart of ale, drink with him, and then produce the letter against him?—I took the letter, as soon as I got it direct down to the news-room; I did not tell him what I was going to do with it.

7959. He had no thought what you were going to do with it?—I did not tell him.

7960. He told you he had got two sovereigns in a parcel?—He showed me the parcel, and said it had contained the two sovereigns; he showed it in the room.

7961. He did not tell where it came from?—No; I remarked there was no post-mark upon it, and he said he had got it from another quarter, but he would not say where that was.

7962. You cannot take upon yourself to say, from anything you heard from him, or anything within your own knowledge from any quarter, for what purpose or by what means those two sovereigns reached him?—He told me he did not get it through the Post-office, but from another quarter, and I did not press him further.

7963. *Committee.*]—Suppose you had told this man, half-drunk as he was, that you meant to use this letter to ground a charge against himself, do you think that he would have given you the letter?—He did not appear to set a value upon it; there were three or four men in the room.

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7964. If you had told him you meant to found a charge upon it against him, do you think he would have given it to you?—I cannot say.

7965. What rank of life is this man in?—He used to live respectably, and collect in small debts.

7966. Is he a householder?—No; I know very little about him, except meeting him for the first time and the last time.

7967. What is Walker?—He is a butcher.

7968. A master butcher?—Yes.

7969. A master butcher in the city of York does not consider it beneath him to accept two sovereigns?—He got them.

7970. Palmer did not imagine the paper was worth a quart of ale?—I do not know what he might imagine; he made the proposition that he would take a quart of ale for it.

7971. He imagined you intended to make some use of it?—Nothing passed about that.

7972. Did he say anything about a Blue letter?—I cannot exactly say what might be said in the room; it was named in the room; he had been on the spree, he said, ever since he got the two sovereigns.

7973. What did he say?—I have never seen him since the election; he had always before polled for the Orange party, and I asked him about it, and he spoke about Sheriff Hanson.

7974. Did he say he had got a Blue letter?—He showed me there had been two sovereigns in it; I do not know that he named the Blue letter.

7975. Do you know any other persons who received any sovereign letters?—I do not know the fact; I have heard of a good many.

7976. Are there any persons who have spoken to you of having received them?—I have heard several name about getting the money, but I never had any proof that they got it.

7977. Did the persons who received it state that to you?—Yes.

7978. What did they state that they had got?—That they had got the two sovereigns for voting for Mr. Lowther.

7979. You heard that stated by persons who had received it?—I heard that stated in public company.

7980. By persons who stated that they had received it?—I have heard freemen say that in general company; I have heard it named, but I could not at this moment state the names of the persons.

7981. You were desirous to get more letters if you could have got them?—No; I got those two as they came in my way, and I thought no more about it.

7982. You say the Society for the Diffusion of Political Knowledge wished to get the letters?—A wish was expressed, and I said there was one in my shop that had been there a week, or thereabout, and I went the next day and got it and took it up.

Re-examined by Mr. Hill.

7983. When you went to the man to ask about the parcel, how did you describe it?—I did not go to ask him, I met him by mere chance.

7984. Who began upon the subject, he or you?—I believe I began by saying that I was rather astonished he had polled for the Blues, always being an Orangeman; and he said, as I stated before, that they refused to put him down as a poll-clerk for the Orange, and so he went over to the Blues.

7985. He knew there was a talk about the Blue sovereigns?—He said he had two sovereigns, and that he had been on the spree ever since.

7986. When you two were talking about the Blue sovereigns, or the sovereigns, did you ask him for the letter?—After I had put the question to him about turning to the Blues, he then began to say he had got his sovereigns for polling for the Blues, and he showed me the paper, and said he would let me have it for a quart of ale.

[The Witness withdrew.

Mr. *Henry Walker*, called in, and Examined by Mr. *Hill*, as follows:

Mr. *Henry Walker.*

7987. ARE you a hosier in Coney-gate, York?—I am.

7988. Do you know the last witness, Mr. William John Walker, of Micklegate?—I do.

7989. Do

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7989. Do you know the Society for the Diffusion of Political Knowledge in York?—I do; I am a member of it.

7990. Did Mr. William John Walker come to the society rooms and inquire for Mr. Leman on one occasion when you were present?—He did.

7991. Was Mr. Leman engaged at that time up stairs?—He was.

7992. Did Mr. William John Walker give you anything?—He gave me a parcel.

7993. Is that the parcel he gave to you?—[*A paper being shown to the Witness.*]—It is.

7994. Have you any doubt about it?—None.

7995. What did you do with it?—I gave it to Mr. Leman.

7996. Have you kept it in your possession ever since?—I kept it in my possession all that night, and gave it to Mr. Leman next day.

Cross-examined by Mr. Wrangham.

7997. Did you sign the petition?—I did.

7998. Are you a voter for the city of York?—I am not.

7999. Which petition did you sign, the 63d or 42d?—The 63d.

8000. Are you aware there is this paragraph, the last but one in the petition, "That your petitioners, who at the last general election were freemen, householders of the city of York, and as such registered and entitled to vote for the said city"?—I am a freeman, but not registered.

8001. *Committee.*]—Are you aware that the petition contains these words: "That the petitioners were freemen or householders, and as such registered and entitled to vote"?—I am a freeman, but I am not registered; I thought I was.

8002. Did you read the petition before you signed it?—Part of it.

8003. Did you read the whole of it?—No.

8004. Mr. *Wrangham.*]—Do you mean to say you signed the petition, containing a number of charges against individuals, without having read it?—I did read part of it, and knew the purport of it all.

8005. How?—By hearsay.

8006. By hearsay; do you not know it was a petition of registered householders and freemen?—Yes.

8007. And yet you signed it?—I was not aware but that my name was on the registry.

8008. Did you give your vote at the election?—I did not.

8009. Were not you aware at the time of the election that you had not a vote?—I was aware, at the time of the election, that my name was off the list.

8010. Then were you not equally aware, subsequent to the election, when this petition was signed, that you were off the register?—Yes.

8011. You being equally aware it was a petition of registered householders and freemen, how could you reconcile it to your mind to sign a petition which contained the paragraph, to your knowledge, that it was a petition of the registered householders and freemen?—I have no other answer to make, but that, though I am off the register, I consider myself entitled to vote.

8012. Mr. *Hill.*]—You are a freeman?—I am.

8013. Are you a 10 *l.* householder too?—I am.

8014. Shall you be on the next register?—I think so, I have claimed.

8015. In both capacities?—No.

8016. As a 10 *l.* householder?—As a freeman.

8017. *Committee.*]—Why were not you on the register of freemen the last time?—I do not know.

8018. Did you ever vote at any former election?—I did not.

8019. Did you take up your freedom before the registration?—Yes; two or three years ago.

8020. You were not entitled to vote at the election before the last?—I considered I was.

8021. You have been long resident in York?—I have.

8022. Is there a good deal of drunkenness generally at York?—I have been a commercial traveller, and have not been in York at the time of any election, except the last, for some years.

[The Witness withdrew.

[*The Letters referred to by Mr. William John Walker were delivered in.*]

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Mr. *Hill* delivered in specimens of the handwriting of the witness Francis Short, stating that the parts crossed in pencil were of the handwriting of the witness, and the parts not crossed were not of his handwriting.

Mr. *Hill* stated that he had now closed his case, subject to the right to call Sir John Lowther in case of his health enabling him to attend before the close of the investigation, and also with the exception of the evidence of Mr. Lowther in case that could be obtained, and he applied to the Committee to report to The House the resolution to which they had come yesterday with respect to the attendance of Mr. Lowther as a witness before the Committee, in order that the Opinion of The House might be taken thereon; and also requested to be informed by the Committee, whether the decision to which the Committee had come in respect of that application had proceeded on the ground that Mr. Lowther was not a competent witness, or that The House had no power of enforcing his attendance as a witness.

Mr. *Wrangham*, being asked whether he had any objection to the application on the part of Mr. Hill, that he might be permitted to examine those witnesses, in case of circumstances allowing of their examination in a future stage of the case, stated that he conceived he should be placed in an unfavourable situation if he was called upon to commence his case, while he was subject to the petitioners calling them at any future time, that he submitted he was entitled to know the whole of the case to be brought against him before he commenced his case.

Jovis, 27° die Augusti, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

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THE Counsel were directed to withdraw.

After some time the Counsel were again called in, and informed that the Committee having deliberated on the application made yesterday by Mr. Hill to the Committee, that they would assign the grounds on which they had come to their resolution in respect to the examination of Mr. Lowther, had come to the following resolutions:

"That the Committee decline to assign the grounds of the resolution:

"That the Committee decline to report specially to The House the resolution to which they came on Tuesday last, with respect to the attendance of Mr. Lowther as a witness. That the Committee cannot insist upon Mr. Wrangham opening his case till that of the petitioners is closed; but that if the health of Sir John Lowther should enable him to attend before the close of the investigation, the Committee do not consider themselves precluded by this resolution from taking his evidence, although they will not allow him to be examined by the Counsel:

"That Mr. Hill and Mr. Wrangham be each allowed to address themselves to the evidence at the close of the inquiry."

Mr. *Hill* submitted, that the regular course would be, that in case no evidence was called by Mr. Wrangham, he, Mr. Hill, should begin, and then Mr. Wrangham should address the Committee; but that if evidence was called by Mr. Wrangham, he should sum up that case, and then he, Mr. Hill, should reply.

Mr. *Wrangham* submitted, that in a case like the present it rested with the Committee to arrange the order in which the Counsel should be heard, and that it would be more convenient in the present case that Mr. Hill should sum up his case first.

Mr. *Hill* stated that he had closed his case.

Mr. *Wrangham* objected to the letters referred to in the evidence of Mr. William John Walker, and the specimens of Mr. Short's handwriting, being considered as given in evidence; and submitted, that the letter addressed to Peter Walker was not proved to have been received by Peter Walker, and that the letter addressed to Palmer could not be received without the Counsel calling Palmer, it appearing that Palmer was in attendance; or, at all events, he submitted, the Committee would not receive that packet in evidence without themselves calling him.

Mr. *Hill*

Mr. *Hill* submitted, that Palmer being a party charged, having admitted to the witness that he had received the letter inclosing sovereigns, that was sufficient evidence to entitle it to be received in evidence; that with respect to the letter addressed to Peter Walker, he submitted that also was sufficiently proved, by showing it to have gone through the post-office, and his name appearing in the list of those who had received money-letters.

Mr. *Wrangham* was heard in reply.

The Committee determined that the letter addressed to John Palmer should lie upon the table, and that the letter addressed to Peter Walker should lie upon the table.

John Palmer, called in; and Examined by the Committee, as follows:

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8023. WHAT is your name?—John Palmer.

8024. Where do you reside?—I reside in the Groves, in the neighbourhood of York, at present.

8025. Do you know William Walker?—Yes, I do.

8026. Did you ever meet him in a public-house, the sign of the Fox?—I have seen him occasionally there.

8027. Did you ever have any conversation with him on the subject of the money parcels which were sent round?—No, not that I recollect.

8028. Did you ever state to him that you had received money for your vote?—Not to my knowledge.

8029. Did you ever send to him a letter or parcel?—Never.

8030. With the marks of two sovereigns in it?—No, never.

8031. Look at that letter—[*the same being shown to the Witness*]?—Yes, I have seen that before; I was shown it by Mr. Anderson on my arrival in London.

8032. Was that letter never in your possession?—Never.

8033. Had you ever a similar letter in your possession, a letter like that?—Similar to the handwriting, do you mean?

8034. Had you ever a letter like that in your possession?—No.

8035. Were you ever offered a quart of ale by Mr. Walker for a letter like that?—No.

8036. Or for a parcel like that?—No.

8037. Do you know a person of the name of Shepherd, a porter at the coach-office?—I do.

8038. Did he ever deliver you a parcel something about that size?—He called with one at my lodgings; but in consequence of my not being at home, I was in the country, I called at his house in the evening, and received a parcel.

8039. That is not the parcel?—Oh no, nor nothing like it; it was a different paper, and different handwriting.

8040. What sort of paper was the parcel you did receive?—It was a brown paper.

8041. Was it larger or smaller than that?—About this size, as far as I recollect.

8042. When did you tell Mr. Anderson you had never seen that letter before?—On my arrival in London last Thursday.

8043. Did he, or anybody in his behalf, communicate with you in York before they brought you up regarding that subject?—Yes, Mr. Seller called upon me about it.

8044. Who is Mr. Seller?—He is an attorney in York, engaged with Mr. Anderson in this business.

8045. What passed between you and Seller?—He inquired of me whether I had ever any conversation with Mr. Hewley Graham respecting the parcel; I answered him that I had not.

8046. Was that all that passed?—Yes, I think it was at that time.

8047. Did anything pass between you and him at any other time?—Never.

8048. Had you any communication with any person with reference to the evidence you were to give before this Committee?—No, I had not, any further than what passed between Mr. Anderson and me when I arrived; that is all the conversation I have had.

8049. What passed between Mr. Anderson and you on your arrival?—Mr. Anderson and me had some trifling conversation prior to Mr. Leman coming in, and he produced this; of course I was asked whether this parcel had ever been

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in my hands, whether I knew anything of it; and I said I did not, that I had never seen it.

8050. What did the parcel contain which you received from the coach-office?—It contained two sovereigns.

8051. Did the parcel you received contain two sovereigns within an interior letter, or were the two sovereigns in the very paper or parcel itself?—They were contained in a sheet of white paper.

8052. They were contained in a sheet of white paper, wrapped up in a parcel?—They were.

8053. Did the parcel you had received differ in respect of the colour of the paper from that you hold in your hand?—It did decidedly so; and the handwriting was materially different.

8054. You gave no paper, you say, to Mr. William John Walker?—No, I did not.

8055. Have you got the cover that inclosed your two sovereigns?—No, I have not; I destroyed it the following morning.

8056. What made you destroy it?—I had no use for it; it was only waste paper.

8057. Did you mention to anybody that you had received it?—No, I do not know particularly that I did.

8058. Did you never mention to any one that you had received a parcel containing two sovereigns?—No, I do not think I did.

8059. Can you say positively that you did not?—No, I cannot; but I do not think I did.

8060. You cannot swear that you did not communicate with Walker?—Yes, I will swear that.

8061. On what subject?—On the subject of the letter.

8062. Of the parcel you received with the two sovereigns in it?—Yes.

8063. You did not communicate with him upon it?—No.

8064. How was the parcel directed which you received from Shepherd?—Mr. John Walker, accountant, No. 12, Goodram-gate; that is different from this.

8065. In what respect did that differ from this?—Here is "about No. 12," here upon this; but mine was decidedly No. 12.

8066. You took great notice of it?—Yes; for I went down to Shepherd's for it, and it was given me by his wife.

8067. Do you see the figure 12 there partially obliterated?—I do.

8068. Does the "about No. 12," appear to you to be written in the same coloured ink, or in a different colour?—It is in a different colour.

8069. Might not this be, as far as this is concerned, the same parcel, although the words "about No. 12," may have been written since?—No, it is quite a different handwriting altogether; the direction was more in the other.

8070. As far as this No. 12 goes, you see this tallies with your description?—Yes.

8071. Do you know whose handwriting that is?—No, I do not.

8072. You never saw it before?—No.

8073. Do you know whose handwriting that is which you did receive?—No.

8074. Are you a freeman?—Yes.

8075. Did you vote for Mr. Lowther?—Yes, I did.

8076. Have you voted on former elections?—Yes, I have.

8077. For whom did you vote in 1832?—I voted for Dundas.

8078. What was the reason of your changing your vote?—My reason was, I had been promised on two different occasions to be put down as a poll-clerk for Dundas; and a few days prior to the last election I met Mr. Sheriff Hanson and Mr. Dundas in the street, and Mr. Hanson applied to me for my vote for Mr. Dundas; I said I shall give it conditionally, that I am put down as a poll-clerk, and when I came to make inquiries on the day before the election, I found my name had not been put down at all; in consequence of that I voted for Mr. Lowther, without being solicited by any of his party.

8079. Did you ever state to any person your reason for changing your vote?—Yes, I made use of the idea at the time.

8080. Did you explain, in reply to questions put to you by any party, the reasons why you changed your side?—Since I came to London.

8081. Had you previously?—Yes, I made use of the idea why I did it.

8082. Did

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8082. Did you ever make the statement at the public-house?—I cannot say; I fancy I might have made it.

8083. You never told Mr. Hanson the reason of your not voting?—No, not till I saw him at the coffee-room.

8084. Did you see him in London?—Yes, I did.

8085. Did you tell him the reason why you changed your side?—I did so.

8086. Did you act as poll-clerk for Mr. Lowther?—No, I had no situation.

8087. Did you act as messenger?—No.

8088. Or as body-guardsman?—No.

8089. Were you set down for Mr. Lowther?—Not that I know of; I called at the committee-room before I went to the poll, and promised him and voted.

8090. Whom did you see there?—I think Mr. Hewley Graham and Mr. Bulwer and other gentlemen; those two I noticed particularly.

8091. You told them you would give your vote for Mr. Lowther?—Yes.

8092. Who was the person setting down?—There were several in the room; I did not notice anybody setting down.

8093. Was that on the morning of the poll you called?—Yes; the first day's poll.

8094. Had you never called there before?—No.

8095. This letter you received with two sovereigns did not come to you in consequence of no previous contract for your vote?—No, nothing of the kind; because I never had any conversation with any of Mr. Lowther's agents in any way whatever.

8096. Did you expect to receive a couple of sovereigns?—No.

8097. It was a surprise to you when it came?—Yes.

8098. Do you know from whom it came?—No.

8099. Did you ever hear of polling-money at York?—Yes.

8100. It is a custom in York, is it not?—It has been.

8101. Do you mean to say it has been discontinued?—I believe it is not so common as it used to be; in former times they used to expect it as a matter of course.

8102. Do you know how much they used to pay?—I have heard of a guinea for a split vote, and two guineas for a plumper.

8103. Did you split your vote at the last election?—No, not at the last election; I voted for Lowther.

8104. A plumper?—Yes.

8105. For whom did you vote in 1832; a plumper for Dundas?—No; I never plumped for Dundas.

8106. For whom did you vote; was it for Dundas and Petre, or Bayntun?—I voted for Petre and Dundas at two elections.

8107. Did you receive anything for your vote upon that occasion afterwards?—No, I did not.

8108. Did not you make a complaint to some one when you found you did not receive a letter through the post-office the same as the others?—No.

8109. You never expressed any disappointment?—No.

8110. You have heard of those letters?—Yes, I have heard of them.

8111. Did you not make application to some one?—No, I did not.

8112. On what day was it you received that parcel by coach—[*The Witness referred to his pocket-book*]?—I received it on the 7th of May; the reason for my knowing it was, I had left York for Cawood, a distance of 10 miles, that morning, and returned in the evening.

8113. Mr. Petre did not pay that poll-money, did he?—No.

8114. You say you know Shepherd?—Yes, I do.

8115. Do you know him at all intimately?—No, not intimately.

8116. Do you think he might be acquainted with you?—He might be acquainted with me by sight, I dare say, but nothing further.

8117. Did you ever hold any particular conversation with him?—No, never.

8118. Did you ever speak to him before you received the letter?—I never saw him about the letter; I received it from his wife.

8119. Did you ever speak to him?—Yes, in passing; nothing further.

8120. Have you reason to believe he knows you by name?—Yes, I rather think he does.

8121. How do you know he had brought the parcel to your house?—I was told

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so by a person at whose house I lodged, and he had left word that if I called in the evening, I should find it at his house.

8122. He called to deliver the letter at the lodging?—Yes; I understood he had called in the morning, and I received it at night.

8123. Do you know Mr. Walker, the plane-maker?—Yes.

8124. Did you never have any conversation with him upon the subject of this parcel?—No, never.

8125. Have not you met him at the Fox public-house?—Yes, I have met him once or twice.

8126. Do you recollect being at the Fox public-house some few days after you received the letter on the 7th of May?—I was there, I know, on the 7th of May, in the evening, and probably I might call a day or two afterwards, but I cannot recollect particularly that I did.

8127. Were you never asked by any of the parties whether you had not received a parcel of that description?—Yes, I believe I have been, by more than one.

8128. By whom were you asked?—I am sure I cannot tell particularly; there was a good deal of inquiry making about this matter in York; I knew a great many had received it before I received this of mine.

8129. You know that a great many had received them?—Yes.

8130. How were you employed at the time you received that parcel; were you engaged in any particular business at the time?—Yes, I was engaged in my regular business as an accountant; I had been over to Cawood with regard to settling an account.

8131. Were you busy, or did you enjoy yourself on the two sovereigns you received; did you drink a little more freely that night than usual?—No, I do not know that I did.

8132. Do you recollect on any occassion getting rather fresh at the Fox, about that time?—No, not about that time I do not; nor do I recollect that on any occasion there, for it is a house I do not much frequent; but it happened to be in the immediate neighbourhood where I lodged at that time.

8133. Do you recollect being in the company of Mr. Walker there, and being a little overcome with liquor?—No, I do not recollect that I was.

8134. After you had received two sovereigns, did you continue your usual avocations as an accountant?—Yes.

8135. You do not remember that you spent a fortnight particularly in an idle manner, after you had received those sovereigns?—I am certain I did not.

8136. Did you ever partake of a quart of ale, to which Mr. Walker treated you?—It might be. Yes, I met him one morning in an adjoining street, and he asked me to partake of a share of a pint of ale with him, and he paid for two.

8137. Was it about that time?—No, I think it was before that time, but I am not very positive; but there was nothing passed upon the subject of the election at that time.

8138. To what public-house did you go at that time?—To this very Fox.

8139. At what time of the day was it?—It would be about 11 in the morning.

8140. Did you not drink anywhere else?—No.

8141. You stated that some persons asked you whether you had received a letter of this sort; what answer did you make to them?—Before I received it, of course I stated that I had not.

8142. They asked you before you actually had received it?—Yes, I believe I was asked the question several times.

8143. When they asked you after you had received it, what did you say?—I never denied that I had received it.

8144. You always admitted that you had received it?—I did invariably.

8145. Did you tell them you had destroyed the letter?—No, I do not know that I did.

8146. Did you ever mention to any one that you had destroyed the letter you had so received?—Yes, to Mr. Anderson, when I came up and he examined me, I stated that I had destroyed it.

8147. Did you ever say that to any person in York?—No, I cannot say particularly that I did, but I might have done.

8148. Did you to Mr. Seller?—No, I think he did not ask me a question about it; the question he asked me was, whether I had ever had a communication with Mr. Hewley Graham.

8149. When

8149. When you went to Mr. Shepherd for this letter, whom did you inquire for?—I inquired for a parcel which had been brought to my lodging in the morning.

8150. Did you suspect what it was?—No, I did not; for I am in the habit of receiving both parcels and letters.

8151. When did you receive the first intimation that you would be required to give evidence before this Committee in London?—When Seller called upon me on the Friday evening prior to his summoning me, and he gave me a summons on the Tuesday evening following, which was the Tuesday in the last week, and I set off on the morning following.

8152. You assure the Committee, confidently, that no person has endeavoured to induce you to give any evidence on this question?—I do decidedly.

8153. You are ready to make oath of that?—I am.

8154. Did Mr. Seller put any other question to you besides that you have mentioned?—No; I think that was the question principally he asked me.

8155. How long after you received the letter did you destroy the cover?—The following morning.

8156. What time of the morning?—When I was dressing in the morning.

8157. At what time in the morning?—It must be between eight and nine o'clock.

8158. Did any person see you destroy it?—No; I was in my lodgings.

8159. In what way did you destroy it?—I tore it to pieces.

8160. Did you tear both the papers, the white and brown?—No, I did not tear up the white paper, but I tore up the direction and put the other into my pocket.

8161. There was no writing on that?—No.

8162. Were the sovereigns stuck on the paper?—Yes.

8163. Have you destroyed the white paper?—Yes, I have.

8164. Did you tell anybody before you left York, since you have been summoned, that you had nothing to say upon this subject?—No.

8165. Did you say you had not received a letter?—No; I always acknowledged that I had received a letter.

8166. Did you receive two parcels at the same time?—No; I even informed Mr. Seller, though he did not actually put the question, that I had received a parcel, but that I had had no communication with any of the parties respecting it; I told him that openly, without being asked.

8167. Were those parcels called anything in York?—I never heard any other name; I was told there had been a parcel brought me from the coach-office, and I went for it.

8168. Were they called Lowther's parcels?—Yes, I believe they were generally.

8169. What did you suppose when you found the two sovereigns in the parcel, what did you suppose they meant?—I naturally supposed they had come in the same way to me as they did to other people.

8170. What is that way?—That it had come of course from Mr. Lowther's party.

8171. That they had come to the voters for the votes they gave him?—Yes.

8172. Was that the interpretation you put upon it?—Yes; I was naturally led to believe that, but there being nothing in the letter I could not say it was so.

8173. Were you employed by Mr. Lowther's committee during the election?—No, nor by any committee.

8174. Did any person who spoke to you after your having had such a letter express a wish to have the cover of the letter?—No; no such thing was mentioned to me by any party.

8175. You never told any one you had destroyed the cover?—No, not till I was questioned by Mr. Anderson what I had done with the cover; no one named it before him.

8176. Is the landlord of the Fox named Taylor?—His name is Taylor.

8177. The Fox is in Goodram-gate?—It is.

8178. Can you tell the Committee whether or not you have been drinking at that house since you received the parcel?—Yes, I have called there several times since I received the parcel.

8179. And drunk there?—Yes.

8180. Have you drunk there with Peter Walker, the plane-maker, since you received the parcel?—I cannot bring it to my recollection whether it was before or after I received the parcel that I have been with him there.

8181. It may have been after?—It may have been.

8182. Did

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8182. Did he question you about the reason that you turned from the Orange party to the Blue party?—No, not that I recollect.

8183. Can you say that he did not?—No, I cannot take upon myself to say exactly that.

8184. Can you say that he did not question you as to your reasons for turning from the Orange party to the Blue party?—On the occasion when I was with him there?

8185. On any occasion?—No, I cannot say that I can.

8186. Do you not remember that he did?—No, I do not.

8187. Recollect yourself?—I do not remember; I have no recollection of any such conversation passing.

8188. Is Mr. Walker a person with whom you are intimate?—Yes, very; I frequently call at his place when I go by there.

8189. If you cannot say whether or not he questioned you, you cannot say whether you gave him the explanation, that you voted for Mr. Lowther because Mr. Dundas's party would not set you down as a poll-clerk?—No, I have no recollection of saying anything of the kind.

8190. Can you state that you did not give him that explanation?—No, I cannot be positive of it, but I have no recollection of making any communication of the sort.

8191. Did he at any time question you about the letter or parcel you had received?—No, I do not know that he ever did.

8192. Are you quite sure he did not?—Yes, I am quite sure he did not.

8193. You are quite sure he did not at any time question you about the letter or parcel you had received with the sovereigns in it?—Yes.

8194. Are you quite sure that he never offered you a quart of ale for the letter?—I am certain of it.

8195. Are you quite certain you never offered him the letter or parcel for a quart of ale?—I am quite certain of it, nor for anything.

8196. Are you quite sure you took no letter or cover of a letter out of your pocket while talking with him?—I am.

8197. Are you quite sure you have never talked with him about the letter or parcel since you received the parcel on the 7th of May?—No, I am quite certain of it.

8198. Was there an impression of sovereigns upon the inner paper of the parcel you received?—They were stuck to the paper.

8199. That left an impression of the sovereigns?—Yes.

8200. You did not give any paper of any kind, if I understand you rightly, to Mr. Walker, at the Fox public-house?—I did not.

8201. Did Walker get any paper from you in any way?—No, he did not.

8202. Have you ever been in Walker's company while you were in a state of intoxication, or approaching to intoxication?—Not lately; I was on one occasion, but that was some years ago.

8203. Not since the 7th of May?—No.

8204. Have you ever been in his company when you were the worse for liquor?—Yes, some years ago I was.

8205. But not since the 7th of May?—No.

8206. Can it be true then that Mr. Walker said this letter has not come through the post, for it has no post mark upon it?—No, never anything of the kind, I am confident of it.

8207. I understand you to be quite clear you had no conversation with Mr. Walker, or in his presence, about a letter or the cover of a letter or parcel containing sovereigns?—I am quite clear.

8208. When did you first hear that the petitioners were in possession of a parcel directed to Mr. Palmer?—I never heard of it, while I saw it in the newspaper at York, on the Saturday afternoon.

8209. You saw it on Saturday afternoon in the newspaper at York?—Yes.

8210. How long was that before you came to London?—It would be the Saturday before last.

8211. What would be the Saturday before last?—When I saw it in the newspaper.

8212. When did you come to London?—I started from York on the Wednesday morning.

8213. Did you start from York on the Wednesday morning after you had seen this in the newspaper?—Yes.

8214. When

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8214. When did you see Mr. Seller?—I saw him on the Friday evening, and saw this newspaper on the Saturday.

8215. When did you see Mr. Seller again?—It was on the Tuesday evening.

8216. Did he give you the money to come to London?—He paid my coach fare.

8217. And gave you something for your expenses upon the road?—Yes, he gave me a sovereign to pay my expenses on the road.

8218. He was a gentleman acting as agent for the petitioners?—Yes.

8219. Did you tell him what you had seen in the York paper?—No; I had not seen the York paper when he first called upon me, and all the conversation that passed was, that he put a sovereign into my hand the second time.

8220. I want to know why, when you found that the petitioners were proceeding on what must be a mistake, if you are speaking the truth, you did not tell Mr. Seller that circumstance?—I told Mr. Seller when he called on the Friday evening that I had received a parcel, but had had no communication with any party respecting it.

8221. Did you tell him from whom you received it?—No, I could not do that.

8222. You might; you have told us from whom you received it; you have told us from whom you received that parcel, have you not?—No, I have not.

8223. Did not you say you received it from the wife of Shepherd?—Yes, I did say that, certainly.

8224. When was it you received your summons?—On the Tuesday evening.

8225. Subsequent to the Saturday on which you had read this account in the newspaper?—No, on the Tuesday after I had read it in the newspaper.

8226. You received your summons after you had read it in the newspaper?—I did.

8227. Was it then that Mr. Seller asked you some questions when he gave you the summons?—No, he merely stated that he had got a summons for me; we had no conversation.

8228. He gave you some money?—Yes, he gave me a sovereign, and said he had paid my coach fare.

8229. What was your reason for not telling him that the petitioners were proceeding on a mistake, for that the parcel they had was not the genuine parcel, that having been destroyed?—I stated so to Mr. Anderson when he asked me the question.

8230. That was in London?—Yes.

8231. Why did not you tell Mr. Seller so in York?—Because he never put the question to me.

8232. Had you any other reason?—No; I did not know the ground on which he was asking me the question when he came to me.

8233. What question?—The question that he put to me, whether I had any communication with Mr. Hewley Graham respecting the parcel.

8234. I do not ask you as to any communication with Mr. Hewley Graham, but why, since you knew when they were speaking of it that you had destroyed the genuine parcel, did you not tell Mr. Seller so when he served you with the summons, and gave you money to come to London?—I stated it to Mr. Anderson when he asked me; I was not asked any questions relating to this by Mr. Seller when he came to me.

8235. You have no further explanation to give?—No.

8236. How do you obtain your livelihood?—By collecting accounts.

8237. Do you mean distraining on property?—No.

8238. Do you collect accounts for the Court of Requests?—No, I do not.

8239. For private persons?—For tradesmen.

8240. Have you had to do with the Sheriff's Court?—I have had occasion to attend in the Sheriff's Court, and have employed an attorney.

8241. You have given evidence there?—Yes.

8242. You are acquainted with the matter of giving evidence?—Yes, so far as that.

8243. When you read this York paper, did not you know what was the purpose for which you were to come to London?—I knew the moment I read it there was a decided mistake in the business.

8244. You knew there was a decided mistake in the business?—Yes, so far as regarded the envelope being the one delivered to me.

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8245. A very important mistake; but you did not mention this to Mr. Seller?—No, I did not.

8246. To whom did you mention it?—I did not mention it to anybody till I saw Mr. Anderson.

8247. You mentioned it to no person whatever in the city of York?—No.

8248. Are you married?—No.

8249. Have you any family?—No.

8250. Have you any brothers or sisters?—Yes.

8251. Do you live in York?—Yes, in the outskirts of York.

8252. But you never mentioned it to any one till you came to London?—No; I was never questioned about it.

8253. Did it not strike you as a most extraordinary fact?—No.

8254. It did not strike you as a matter of any importance?—No.

8255. How soon after you arrived in London did you see Mr. Anderson?—He was in the coffee-room when I went in to inquire for him.

8256. And you communicated it to him?—Yes.

8257. Was it in answer to a question Mr. Anderson put?—Yes; he put several questions to me.

8258. Was it in answer to one of those questions you communicated to him that you had given up no cover of a parcel?—Yes.

8259. And Mr. Seller asked you no question of that nature?—He did not.

8260. You knew there was a mistake when you were at York?—Yes.

8261. But you thought the best time to explain it was when the questions were put to you?—Yes, that was my decided impression.

8262. What did you imagine you were coming to London for?—I fully expected I was coming to be examined on this account.

8263. Do you mean specifically, in reference to this particular letter, or to the fact of your having received a letter containing two sovereigns?—I could not make up my mind as to that; I could not tell the questions that might be asked me; but I made up my mind there was a mistake about the envelope the moment I saw the paper.

8264. Was that what induced you to believe your evidence would be entirely irrelevant, knowing that you received a letter containing two sovereigns?—Yes; I knew I had received that letter.

8265. When Mr. Seller served the summons, did not you say you expected it?—Yes; I said, in consequence of some one having called upon me before, I expected it.

8266. You had some little conversation about the summons?—I thought it probable I should be sent for.

8267. Had you not had some little conversation about the summons on the Tuesday night; did you not say that you expected it?—Yes, I did; so far as that.

8268. But even at that time it did not strike you to tell Mr. Seller that was a great mistake?—No; he did not ask me any question.

8269. You say you received this on the 7th or the 8th of May, and pulled out a little book; have you any objection to show me that little book?—No.—[*The Witness handed it to Mr. Hill.*]

8270. What does that book contain?—It contains the different accounts I have made out; and it contains the account I received at Cawood that morning.

8271. There is no entry of the parcel?—No; but what makes me remember it, is my being from home that day.

8272. These entries being about other matters, you know from looking at the open page that was the day you received that letter?—Yes, it was.

8273. You made no entry of the time you received the parcel?—No, I did not; that is what I recollect it by, knowing I was at Cawood on that day.

8274. You say you recollect you were at Cawood the day you received the parcel?—Yes.

8275. Looking to this enables you to fix the day you were at Cawood?—Yes; because I left York that morning.

8276. Did you not enter into any communication with Mr. Seller when he brought the summons?—No.

8277. Is Mr. Seller an attorney?—Yes.

8278. Perhaps you might think it not altogether safe to enter into any conversation with an attorney having a summons?—No; Mr. Seller said, "Mr. Palmer, I have

I have a summons for you;" I said, I should have no objection to give him answers to any questions.

8279. Was that on the Friday or the Tuesday evening?—The Tuesday.

8280. You would naturally have expected a summons after the communication you had had with Mr. Seller on the Friday evening?—I was not surprised, in consequence of his having called upon me before that.

8281. Did you on the Friday evening, or previous to the Friday evening, expect you should be summoned by this Committee?—No, I had no idea of the kind.

8282. Your first expectation of being summoned arose from the communication from Mr. Seller to you on the Friday evening?—Decidedly.

8283. You thought that Mr. Seller knew his own business in summoning you, and the Committee also in sending the summons?—Yes.

8284. You thought your business was to obey the summons?—Yes; I received it about seven in the evening, and left the following morning about nine.

8285. You are quite sure that the first person you saw on your arrival, with whom you held communication, was Mr. Anderson?—Yes.

8286. And you immediately made to him the communication that it was an error to suppose the parcel produced to you was the one you had received?—It was so; Mr. Anderson was in the room alone when I arrived.

8287. Have you had any subsequent communication with other parties engaged on the opposite side in this inquiry?—I have not; I believe I have not spoken to any one on the subject till the parties left the room yesterday evening, then Mr. Richardson spoke to me, and said I should be wanted.

8288. Tell the Committee what Mr. Richardson said to you?—Mr. Richardson said I should be wanted to-day; young Mr. Meek had told me a short time before that I should not be wanted.

8289. Young Mr. Meek is a clerk of Mr. Anderson's?—Yes; and I met Mr. Richardson in the passage, and he said it was probable I should be wanted this morning; I believe Mr. Sheriff Hanson and Mr. Anderson are the only persons I have spoken to in London about the business.

8290. Are you quite certain that, previous to leaving York, you did not speak to any person about the evidence you had to give?—Yes; decidedly I did not.

8291. Did you tell any one you were coming?—I told three or four I had received a summons; perhaps three or four.

8292. Did they put any questions to you upon it?—No.

8293. Did not you tell them what you were going to say?—No.

8294. What was it you read in the York paper on Saturday?—It stated an envelope being produced, addressed to me.

8295. Produced before the Committee?—Yes.

8296. What else did you read there?—In reference to that, I recollect reading that an article of that description had been produced, which Mr. Seymour had stated to be the handwriting of Mr. Francis Short, and that Mr. Francis Short, when it was shown to him, denied his handwriting.

8297. That was on Saturday?—Yes, on the Saturday evening.

8298. Did any person have any conversation with you on your seeing such an incorrect assertion in the York paper?—No, I do not know that I had communication with any person about my having seen the York paper.

8299. Did you tell any person that must have been totally incorrect, or did you describe the parcel?—I did state it to my brother-in-law; when I was waiting to get on the coach, I walked down to his house and stated that to him.

8300. Where were you when you read the York paper?—I was out at Micklegate-bar.

8301. In a private house?—No, a public-house.

8302. What sign?—The sign of the Punch Bowl.

8303. Was there anybody with you?—No; I had been up to the Dring-houses about an account, and called in and saw the paper on my return.

8304. What did your brother-in-law say?—He said it was a very strange circumstance.

8305. What did he say before you told him that?—I mentioned the circumstance to him.

8306. How came you to name it to him?—I felt a good deal interested about it.

8307. You thought, being your brother-in-law, he might be interested about it too?—Yes, I thought he might.

8308. Did it strike you as a most important and extraordinary fact, that having

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having received two sovereigns in this way, you should be summoned here to give evidence as a witness before the Committee?—I thought it a very strange matter, when I saw the paper, that that envelope being produced, there was a decided mistake.

8309. Did you think it a very extraordinary thing that, having received two sovereigns in this way, you should be summoned to give evidence about it?—No, I was not surprised at receiving the summons.

8310. You were not surprised at that, notwithstanding you were aware that that particular circumstance of the parcel was an error?—No, I was not.

8311. You say you have been employed in collecting accounts, have you ever been employed by either of these gentlemen?—No, never.

8312. Do you mean to say, distinctly to the Committee, that you had not held any communication with any person on this side, the side against the petitioners, until after the Committee was up yesterday?—I do decidedly; Mr. Sheriff Hanson and Mr. Anderson are the only two; Mr. Leman was present part of the time.

8313. You have stated that you did not tell Mr. Walker your reason for quitting Mr. Dundas's party, namely, the disappointment about the poll-clerk?—No, I did not.

8314. But you did tell Mr. Hanson that a week ago?—Yes, the morning of my arrival.

8315. That would have been on Thursday, this day week?—Yes; Mr. Hanson came in about half an hour after Mr. Anderson left me; I then told him.

8316. Did Mr. Anderson say anything to you about this when you told him that that was not the parcel you had received?—Mr. Anderson made an observation and said, it is very strange you should have destroyed it and not taken care of it.

8317. Was that pretty nearly all that passed, or do you recollect anything else?—There were several questions Mr. Anderson put to me; he produced the envelope which has been shown me to-day, and I said that was not the one I received.

8318. You say you stopped some time till Mr. Hanson came in?—I stopped; I took some refreshment, and Mr. Hanson came in during the time.

8319. This was a room at the inn?—Yes, it was.

8320. You say you have a brother and sister in the outskirts of York?—I have a sister and brother-in-law.

8321. Can you say with accuracy whether you had seen them in the interval, between the Saturday night and the Tuesday evening?—No, I had not.

8322. Therefore you could not have communicated anything to them?—No, I could not; I merely walked up there to wait for the coach.

8323. What is your brother-in-law's name?—Barkley; he is a person well known to all these gentlemen.

8324. Is that Mr. Barkley the bookseller?—Yes, it is, that was a bookseller.

8325. Can you recollect the name of any person in York to whom you have mentioned the having destroyed this envelope, except to Mr. Barkley?—No, I cannot, nor do I think I did to anybody.

8326. Did you in point of fact attach any value to the cover of this parcel?—No, I considered it valueless, which made me destroy it.

8327. It was useless to you?—Decidedly.

8328. And the white paper inside you say you put into your pocket?—I did.

8329. I do not mean to ask you what use you made of it, but did you in fact make use of it as waste paper?—I did.

8330. Did you see in the newspaper this cover was supposed to be written in Mr. Short's handwriting?—Yes.

8331. Had you heard by letter what was inserted in the newspaper?—No, and I had been for some time reading the newspaper before I discovered this, and I was quite surprised at it.

8332. You received no letter from any person about this petition?—No.

8333. Have you seen Mr. Walker since you came to town?—I have.

8334. Have you conversed with him?—No, I have not; I may have bowed to him; he is a gentleman I am not much acquainted with; I have seen him pass along the passage.

8335. You are quite sure you have not held any communication with him on the subject of this inquiry?—Decidedly; I am quite sure I have not spoken to him; I may have bowed to him as he passed along.

8336. If

John Palmer.
27 August 1835.

8336. If it has been stated that you have been tampered with on the subject of the evidence you were to give before this Committee, that must be decidedly erroneous?—Decidedly false; as I stated before, Mr. Anderson and Mr. Sheriff Hanson were the only persons I had communicated with till Mr. Richardson spoke to me last evening.

8337. Where is your residence in York?—At present?

8338. Have you moved since May?—Yes.

8339. Where was it in May?—In Goodram-gate.

8340. Is that the name of the street you were living in?—Yes.

8341. Are you to be understood to say that when Mr. Richardson spoke to you last night, you had been already told by the other party you were not wanted?—Yes, I had, by Mr. Meek.

[The Witness withdrew.

Mr. *Hill* stated that he was instructed that a person of the name of Saville was present at the conversation between Mr. Palmer and Mr. Walker, and submitted whether the Committee would not see fit to send for him; and was informed that the Committee would direct a summons to be issued for the attendance of Mr. Saville.

Mr. *Wrangham* submitted, that he should not be required to commence his case until this evidence was produced.

The Counsel were informed, that this being a case into which the Committee had themselves seen fit to enter, they did not consider that a reason for delaying the entering on his case.

Mr. *Wrangham* requested that one day's interval might be afforded him, in order to give him the means of arranging his case.

Lunæ, 31 *die Augusti*, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

John Palmer and *William John Walker*, were called in; and Examined by Mr. *Hill*, as follows:

John Palmer and *Wm. John Walker.*
31 August 1835.

8342. (To Mr. *Walker.*)—WILL you look at the other witness, and tell us whether that is the person from whom you received the cover that has been put in?—It is.

8343. Tell us, as nearly as you can, what day it was?—I cannot tell you that, for I did not keep any account of it.

8344. But you recollect the first rumour of the letters being received in York?—Yes.

8345. Can you tell us about how long it was after that time?—No, I cannot tell you that; it was the first time I saw him after the election, that I met him at Mr. Taylor's.

8346. We have heard that the letters were first delivered on the 15th of April?—I do not know that, for I never got any myself.

8347. In what room of the public-house did this take place?—A little parlour; a front parlour.

8348. Is that a parlour fronting the street?—Yes.

8349. Do you recollect who else was present?—Yes, Mr. Saville and I went in together; there was nobody there when we went in.

8350. Mr. James Harrison Saville, is that his name?—Yes.

8351. What is his trade?—He is a baker.

8352. Was he present when Palmer gave you the cover?—Yes.

8353. Do you remember what time of the day it was?—I think, as nearly as I can say, it was nine o'clock in the evening; I do not leave my shop till a quarter past eight.

8354. Then you are quite sure it was after you had shut up shop, are you?—Yes.

8355. Was anybody else present?—Mr. Taylor, the landlord, was in the room, and a young man of the name of Bradley.

8356. Are you quite sure they were all together?—I will swear to it.

8357. *Committee.*]—About what time was this?—I do not know; I never expected anything of this kind; I never took dates.

John Palmer and *Wm. John Walker.*

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8358. You said that nobody else was in the room when you and Saville went in?—There was no one in; after that the landlord, and Mr. Palmer and Mr. Bradley came in; we went in to take a glass of ale, and look at the Morning Chronicle.

8359. Were all those parties present during the whole of the conversation?—Mr. Palmer came in the next after them, and perhaps the landlord; Mr. Bradley, I do not know whether he came in last.

8360. You are not certain whether they heard the whole of the conversation?—I think the landlord might; but Mr. Saville and I went together.

8361. The reasons for Palmer turning Blue, which he gave you; who heard that?—I think they might all have heard that; but we were not talking about the election the first moment we got in.

8362. Which came in first, Palmer or Bradley?—I think Bradley was the last in the room; Mr. Palmer was the third, after the landlord.

8363. After the landlord, or before?—I am not certain which came in the first of the two.

8364. You made some remark when he gave you the letter?—Yes, about the postage, that it had no post mark about it.

8365. Do you think they heard that?—I think they all heard that, for that was when they were in the room; and he said he did not get it by the post, but from some other quarter, or something of that kind.

Cross-examined by Mr. Wrangham.

8366. How came you not to tell us about this man Saville being present when you were here before?—Because I was never asked the question about Saville.

8367. You did not mention the name of Bradley?—No, I dare say not.

8368. Have you frequently met him since that time?—Once I was going to a journeyman's shop, and we had a glass of ale; I think that is the only time I have seen him since.

8369. When you have met him, have you not always been in the habit of twitting him for his politics?—No, never.

8370. You said that he was rather fresh in liquor?—Yes.

8371. Describe to us; was he very fresh, or only a little?—He was worse for liquor, fresh; I could see that he had been drinking.

8372. What I want to ask you is, whether in your judgment he was in complete possession of his senses at the time?—I do not know about it, he was very fresh; he knew, I expect, what he was talking about.

[The Witness *William John Walker* was directed to withdraw.

James Harrison Saville, called in; and Examined by Mr. *Hill*, as follows:

James H. Saville.

8373. WHAT are you?—A baker.

8374. Where do you live?—Mickle-gate.

8375. Are you a neighbour of the last witness, Mr. Walker, the plane-maker?—I am.

8376. Do you recollect going with him at any time to the Fox, in Goodramgate?—I do.

8377. Do you recollect going with him at any time when Walker had any conversation with Mr. Palmer?—Yes, we went down one evening to take a glass of ale at the Fox.

8378. Are you quite sure it was in the evening?—Yes, at about half-past eight or near nine; we went to see the Morning Chronicle; there was no one in at the time we got there; but Mr. Palmer was in the kitchen, and he came into the room to us.

8379. There was nobody in the room when you and Walker got there?—No.

8380. But Palmer was in the kitchen, and came to you?—He did.

8381. Was he the third person who entered the room?—He was the third person who entered the room.

8382. What did they talk about?—They had some conversation with respect to the late election, and from one thing to another, Mr. Walker says, "What is the reason you voted for the Blues?" the reason was, he said, that Mr. Hanson had refused to put him down as a poll-clerk. So then Mr. Walker said, "You have got the money, I suppose, the two sovereigns?" and he says, "I have got the Blue money, and I am having a sprig."

8383. How did he appear?—He was fresh.

8384. He appeared as if he had been drinking?—Yes.

8385. What

James H. Saville.
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8385. What did Walker say to that?—Mr. Walker says, "Will you let me see the letter?" and he put his hand into his pocket, and he says, "I will give you it for a quart of ale," and so he threw the inside part on the table, and says, "There it is;" and Mr. Walker took it up, and he says, "This is not like the rest, it has no direction on whatever;" and he says, "I tell you it is so;" he said, "There wants a cover to this part," so he put his hand into his pocket again, and he threw the cover on the table, and said "That is it;" and Mr. Walker took the cover up and examined it, and said, "This is not like the rest, this has not the post-mark on;" and he said he knew that; it had come by some other conveyance, or something to that effect; and he swore bitterly that that was the cover that contained the two sovereigns; so Mr. Walker gave me a nod, and wished me to go with him; and he said, we will take it to the news-room, that is, the Society for the Diffusion of Political Knowledge, and we went into the news-room, and Mr. Walker inquired if Mr. Leman was there, and they said he was not; and coming out of the door again into the passage, we met Mr. Walker, the hosier.

8386. What is his Christian name?—I am sure I do not recollect; and he told Mr. Walker that he had two letters for him, one from Peter Walker, a butcher, and the other from Mr. Palmer, and he gave them into Mr. Walker's hand, and Mr. Walker, the hosier, put them into his hat, and said that he would take them to Mr. Leman.

8387. Did he tell you why Mr. Leman could not receive them himself?—He was coming in at the passage at the time, and he did not know, I suppose, that Mr. Leman was not in; he said he would take care of them, and Mr. Leman should have them.

8388. Do you remember who else was in the room at the public-house, besides Walker and yourself, and Mr. Palmer?—Yes, there was Bradley, John Bradley, I believe his name is.

8389. Anybody else?—Taylor, the publican.

8390. Do you remember who came in first, Taylor or Bradley?—I am sure I could not be positive about that, but they were in the room.

8391. Do you know whether they were there in time to hear this conversation of which you spoke?—Yes, they were.

8392. And were they there when the parcel was delivered?—Yes, they were.

Cross-examined by Mr. Wrangham.

8393. How long were you in the room altogether?—I cannot say as to that.

8394. Did you read the Morning Chronicle while you were in the room?—Yes, we had a peep at the Morning Chronicle.

8395. How long were you?—Just to read a summary.

8396. A summary of the proceedings in Parliament?—The leading article.

8397. Were you reading it at the time this conversation was going on?—No, it was after we returned, after going to the news-room; we returned to Taylor's.

8398. Who returned?—Mr. Walker and I.

8399. Did you find anybody there?—No, except Mr. Bradley; Mr. Palmer came out of the room into the kitchen again.

8400. Bradley was there still?—Yes.

8401. In which room did this conversation take place?—In the front room to the street.

8402. Is that adjoining to the kitchen?—Yes, the kitchen is backward.

8403. At what time was this, I do not mean time in the day, but what time as to the election?—I am sure I cannot exactly state, it would be a few days, as near as I can state, after the distribution of those letters.

8404. You have told us that Palmer talked about the Blue money, are you quite sure that he used the phrase Blue money?—Yes, I am positive of it.

8405. Or the two sovereigns?—He called it the Blue money.

8406. You are quite sure that he did not call it the two sovereigns?—He did not; the Blue money.

8407. Mr. Walker, when he got this piece of paper, gave you a nod?—Yes.

8408. Did he give you a wink?—I cannot state that.

8409. Was it as much as to say, I have done the job?—It was to say that I was to accompany him to the news-room.

8410. He did not say, come along with me to the news-room?—No.

8411. He did not say anything in Palmer's hearing as to what he was to do with the letter?—No; I understood the meaning of it.

8412. Palmer would not understand the meaning of it so well?—I cannot say that.

8413. Was Palmer quite sober?—No.

8414. Very drunk?—I cannot say; he was sitting in a corner of the room.

8415. From your observation of his appearance and demeanour, should you say that he was a person in possession of his full senses at that time?—Yes, I should.

8416. What do you mean by being fresh?—He seemed affected by what he had done; he seemed very talkified all the evening.

8417. He made a fool of himself in his talk?—I do not know about that.

8418. Is not every man who is fresh, drunk?—Yes, some people may call it drunk.

8419. What would you, coming from the Society of Political Knowledge, call it, should you call it drunk?—Yes, I should.

8420. Then he was drunk?—Yes.

8421. When did you come to town?—Yesterday afternoon.

8422. Have you had any conversation with anybody about this matter?—I have only had conversation with Mr. Walker.

8423. Have you not had any conversation with Mr. Anderson?—Nothing more than about this affair.

8424. You had a conversation with him about this affair?—Yes; I told Mr. Anderson the same as I have told you.

8425. He took it down?—Yes.

8426. Did you tell him or did he tell you?—I told him; I told Mr. Leman when he took it down in writing, what I told Mr. Anderson the evening before.

8427. You had a conversation with Mr. Anderson last night, and this morning Mr. Leman took your evidence?—Yes.

Examined by the Committee.

8428. You say that Palmer offered to give up the letter for a quart of ale?—He did.

8429. Was the quart of ale taken in consequence?—It was ordered.

8430. Was that before you went out or afterwards?—Yes; the bell was rung instantly.

8431. Did Palmer partake of that?—Yes.

8432. When you went out, did you go out of the front door?—Yes.

8433. And return the same way?—Yes; there is no other entrance.

8434. When you returned, you say that Palmer was in the kitchen?—Yes.

8435. Did you go into the kitchen?—No.

8436. How did you know he was there?—We heard him, and Mr. Taylor said he was in the kitchen.

8437. Did he join you again?—He did not.

8438. Did you partake of the quart of ale when it was ordered in?—Yes, we had some of it.

8439. You went out of this room with Walker, and you went in with Walker?—Yes.

8440. And you understood the meaning of his nod?—Yes.

8441. Before you went in, had you any conversation with him about this letter?—I do not know that we had.

8442. Did you come with him from the Society of Political Knowledge?—I did, after delivering the letters.

8443. When you first went into this public-house with Walker, did you accompany him to this public-house from the Society of Political Knowledge; where did you join Palmer before you went into this house with him?—In Mickle-gate.

8444. Where?—We went somewhere near the bridge, as near as I can tell.

8445. Did you meet him in the street?—Yes.

8446. And you proceeded with him to the Fox public-house?—Yes.

8447. And in going down had you any conversation about these letters?—None at all; we had in the afternoon; I had seen Mr. Walker.

8448. In the afternoon of that day?—Yes; he then told me that this Peter Walker, his apprentice, had brought a letter up, stating that his father had got two sovereigns.

8449. Did he tell you that he was in search of other letters of a similar kind?—No; he said that he would try to get as many as he could to take into the news-room.

8450. Then did he tell you that he was in search of other letters of a similar kind?—Yes.

8451. Did you mention the name of Palmer before you went in?—No; I had not the remotest idea of seeing the person.

8452. When

8452. When Palmer gave the letter to Mr. Walker, you say that Mr. Palmer's observation upon it was, that it was not like the rest?—Yes, it was. *James H. Saville.*

8453. That was before he saw the cover?—That inside part was given first. 31 August 1835.

8454. When he saw the inside part, he said, "This is not like the rest?"—Yes; this is not like the rest; there is no direction on it; he wanted the cover.

8455. What did you understand by that; did you know that others were under a cover?—Yes; I had seen that of Peter Walker's, and there was the in-part and the cover both.

8456. In two separate distinct pieces of paper?—Yes, fastened together.

8457. And therefore the observation was, "There is no direction upon it; it is not like the rest?"—Yes.

8458. Have you had any conversation with Walker since you came up?—Yes, we have talked; I have seen him several times.

8459. Have you talked with him upon the subject of the evidence you were giving, and what you were expected to give?—Yes, we had conversation about it; but I had seen it in the papers.

8460. What?—That Mr. Walker had given his evidence.

8461. Had you seen it?—Yes, it was in the Yorkshireman; I have brought it in my pocket.

8462. Did you know Palmer before this?—I had seen him before to know him again, but not to have any acquaintance with him.

8463. Do you mean to say that the answers given by Walker were published in the Yorkshire newspaper?—In all the York papers.

8464. And you brought that up with you in your pocket?—Yes.

8465. And you read as you came in the evidence given by Walker?—Yes, and the other witnesses.

8466. Would that enable you to refresh your memory as to what passed?—None whatever; I am quite confident in what I have stated.

8467. You are certain of the accuracy of what you state?—Yes.

8468. Walker has said that he was not particularly accurate as to the minute circumstances, but you are?—Yes; that which I have stated is perfectly correct.

8469. And agrees with what you have read in the York papers, as stated by Mr. Walker?—Yes.

8470. Are you influenced by anything you read in the York papers?—No.

[The Witness withdrew.

Thomas Taylor, was called in; and Examined by Mr. *Hill*, as follows:

8471. YOU are the landlord of the Fox public-house in Goodram-gate, York?—Yes. *Thomas Taylor.*

8472. Do you know that man Palmer who stands behind you?—Yes.

8473. Do you remember his being at your house at the time when Walker and Saville were there?—Yes.

8474. How long is it ago?—I am sure I cannot speak exactly to the time.

8475. Do you remember hearing of the sovereign letters coming round?—Yes.

8476. How long was it after that?—Perhaps a few days; I cannot say exactly.

8477. In what room were Walker and Saville in your house?—In the front parlour.

8478. Did you join them?—Yes.

8479. When you went into the room who was there?—When I went first into the room there was none but Walker and Saville.

8480. Did you remain or go out?—They ordered a pint of ale, and I went and brought it, and sat down with them over a pipe.

8481. Did Palmer come in?—Palmer hearing Walker in the parlour, went in.

8482. Where was Palmer?—In the kitchen.

8483. Where was Palmer when they came into the house?—Palmer was in the kitchen when they came into the house.

8484. How long had he been there?—All day, nearly all day; I was not in all day myself.

8485. But according to such observation as you were able to make, and from what you are informed by your family, had he been there nearly all day?—Yes.

8486. Had he been drinking?—Yes.

8487. Had he told you anything particular during the day?—When I went to my dinner he said, "Well, Taylor, what will you have a glass of?" I said, "I will have

Thomas Taylor.

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have nothing but ale." He says, "Well, it is no matter, drink what you like, I will pay for it."

8488. Did he explain the cause of this generosity?—Yes.

8489. What did he say?—"I have got two sovereigns Blue money to-day;" and he would spend it.

8490. Blue money?—He said, "I have got two sovereigns Blue money;" I will not say whether he said to-day or not.

8491. Did you leave your house after dinner; do you work at some trade?—Yes, occasionally I do.

8492. At what time did you return?—I was relieved at one o'clock, and I returned about six.

8493. Was he there then?—Yes.

8494. And was he there from that time till Walker and Saville came?—Yes.

8495. At what time did they come?—They would come between eight and nine o'clock.

8496. Did Walker and Palmer and Saville enter into conversation with each other?—Yes; Walker and Palmer particularly.

8497. What was the subject?—On electioneering; the late election.

8498. Do you remember more particularly what they were talking about?—No, of nothing very particular; they began to talk of the letters passing to different people in York, the money-letters, and, said he, "I suppose you have got your's, Palmer?"

8499. Do you know what Palmer had been in former elections, what side he had taken?—One of the Orange party.

8500. Was anything said about that?—Yes; Walker asked Palmer his reason for voting.

8501. For whom?—For Mr. Lowther, the Blue candidate.

8502. Did Palmer give any reason?—He said that Mr. Hanson had promised to set him down as a poll-clerk, and he had not done so, and for that reason he voted for Mr. Lowther.

8503. Had Mr. Walker asked him if he had got the sovereigns?—Yes.

8504. Do you remember his answer?—He said, "Yes."

8505. Did he say anything more?—Walker asked him if he had got the packet; Palmer says "Yes;" and said he, "Let us look at it," or something of that sort; and Palmer pulls it out, and he had a deal to do.

8506. How do you mean by a deal to do?—He had it in his pocket, drunk as he was; Walker said, "Will you give me it?" he said, "You shall have it for a quart of ale;" and Walker said, "I will give you a quart of ale;" and he drew it out of his pocket and gave the inside part to Walker, and threw it on the table; he said, "This is not it, there is no direction on it, there is nothing on it but the mark of the sovereigns, where the sovereigns have been placed; there is no direction; where is the cover?" He pulled out the cover, and it was directed to him; and he said, "This is not the cover; there is no post-mark on it;" and said he, "It did not come by the post; it came another way, which I shall not tell you.".

8507. Was the quart of ale had in?—Yes.

8508. Who paid for it?—Walker.

8509. Did Walker take the cover?—Yes.

8510. When Walker took the cover and the inside of the letter, what did he do; what became of Walker?—Walker told Palmer it was not it, and Palmer swore that it was, and said, "It is it," and swore several times that it was; and Walker was rather hard of belief that it was it, because it had not the post-mark; and he said he had it some other way, but which he would not tell; and Walker said, "I will leave you, and after going to Stone-gate I will come back directly;" and Walker and Saville went out.

8511. Did he say that to you?—Yes, to all.

8512. And did he go away?—Yes, immediately.

8513. And did they return, Saville and Walker?—Yes.

8514. What paper do you take in for people to read in your parlour?—The Morning Chronicle.

8515. Do you remember whether they read the paper that night or not?—I think they did not that night; I think they took it after they came back.

8516. Where was Palmer when they came back?—In the kitchen.

8517. Do you know John Bradley?—Yes.

8518. Was he in the parlour during this conversation?—Yes.

Cross-

Cross-examined by Mr. Wrangham.

Thomas Taylor.

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8519. When did he come in?—At the time that Palmer and Walker were talking about the election.

8520. Was it before or after this conversation about the letter?—Before.

8521. You say that when you came in Walker and Saville were alone?—Yes.

8522. You took your seat with them, and sat down and smoked your pipe?—Yes.

8523. You three were together in the parlour?—Yes.

8524. There was nobody else there?—No.

8525. You went in third?—Yes.

8526. How long might it be after when Palmer came in?—Not long, a few minutes.

8527. What had you been talking about?—About the election; there was nothing else talked of at that time.

8528. About the letters?—About the letters.

8529. Was there any wish expressed to get one of those letters?—No, there was no talk about it.

8530. Are you a member of the Society for the Diffusion of Political Knowledge?—No.

8531. So Palmer was drunk?—Yes; he was what we call fresh in York.

8532. And drunk elsewhere?—In some places they might call him drunk, and in some places they might call him sober, but he could walk if he had hold of the wall or a chair.

8533. You do not call that drunk in York?—No.

8534. Where did he sit?—In a corner near the fire-place; there was not a fire that night; his back part was to the fire-place.

8535. How drunk was he; you are a person skilled in these matters?—Drunk enough to go to bed as soon as ever he had a light.

8536. Do you think he was sober enough to go to bed?—Not by himself, comfortably.

8537. But you thought he could hold a little more?—He got no more that night in our house, after his share in that quart of ale.

8538. You thought he was sober enough to hold a little more ale?—I do not know, perhaps he might.

8539. You did not object to his having more liquor?—Yes, I did.

8540. Did Walker insist upon it?—That was when they came back again.

8541. Before did you object?—Walker was sober, and Bradley was sober, and Saville was sober.

8542. Did you get any?—Yes, I got a small glass.

8543. The landlord has always a small glass?—Occasionally.

8544. What time was this?—Between eight and nine o'clock.

8545. Which would it be nearest?—Nearer nine, I suppose.

8546. How long after the letters were sent round?—A few days; it was just at the time that they were all going round.

8547. And you say that he fumbled a great deal in his pocket, and could hardly get out the cover?—The outside cover he did not pull out directly.

8548. Did he fumble about in the same way when he was getting the other out?—He took it out and threw it on the table.

8549. Was he not so drunk that he might very well have mistaken one piece of paper for another?—I should think not, because Mr. Walker questioned him on it again; he said, "You are sure it is it," and he said, "Yes, positive."

8550. Might he not fancy that there were two pieces instead of one?—He might.

8551. Do you think that his vision was very distinct?—He might know whether he had the right piece of paper.

8552. Has not your experience taught you, that a person so drunk that he could not walk, except by leaning against a wall or a chair, could not see very clearly?—He might read, because I have heard Palmer read when he could not walk.

8553. You said that Palmer had been there all day?—Yes.

8554. At what time did he come?—I cannot say, I was not in the house; I know that he was there when I went home at 12 o'clock.

8555. Was he sober?—No, he was rather tipsy; he was getting on.

8556. And drinking till nine?—I think he was asleep in the afternoon.

8557. When

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8557. When he awoke, he turned to again; what did he drink?—Ale, I think; I do not remember seeing him drinking anything else.

8558. There might be a good deal of ale consumed between 12 and 9?—Yes.

8559. Does he drink pretty freely when at work?—Yes.

8560. How long were you out?—I was not in no more till six o'clock in the evening from one.

8561. Then Walker said when he got this paper, addressing the party, "I am sorry I must leave you, I must go to Stone-gate?"—Yes.

8562. Did you see him give a nod to Saville?—He moved to Saville, and Saville moved to him.

8563. Was it when he moved to Saville he said that?—Yes; Saville jumped up to go with him.

8564. He said that in a tone of voice which was audible to all of you?—Yes.

8565. He did not confine this communication to a nod, but said, "I am sorry I must leave you, I must go to Stone-gate?"—Yes.

8566. What was the question which Mr. Walker put to Palmer about the money?—He asked him if he had got the money; I suppose he asked him if he had got the packet.

8567. What do you mean by the packet?—The money-letter, I suppose.

8568. Did he not ask whether he had the money, before he asked about the packet?—I do not know.

8569. Did he ask for the package without asking what it contained?—I cannot say; he asked him if he had got the sovereigns, and then if he had the package, after.

8570. What did Palmer say?—He said, "Yes."

8571. Will you give me Palmer's words; what did he say about the sovereigns?—Palmer said that he had the Blue sovereigns.

8572. You are quite sure that he did not say the two sovereigns, but the Blue sovereigns?—I cannot say which he said.

8573. Tell me which it was?—It was one or the other, I remember very well.

8574. It might have been the Orange, very likely; what was the word that he made use of?—I do not remember; it was either the Blue sovereigns or the two sovereigns; I cannot say which.

8575. Are you quite sure it was either?—I suppose it was either; it was one or the other.

8576. How do you come to doubt about two words totally different?—I do not remember exactly which it was.

8577. Can you be quite sure it was either?—Yes; I think it was one.

8578. How can you, if you do not recollect which?—Because at the time there was so much talk about the Blue sovereigns, and the two sovereigns, and the Lowther sovereigns, that people could not tell which it was.

8579. Your ears were tinkling with the Blue?—No; I was not very violent at that time.

8580. You heard so much about it that you cannot tell what was said?—Yes, I can.

8581. Are you sure that it was Blue sovereigns?—I cannot say.

8582. Are you sure that it was two sovereigns?—I cannot say.

8583. You cannot say whether it was one or the other?—No.

8584. What is Bradley?—A joiner.

8585. How long did he come in after Palmer, or did he come in before Palmer?—After Palmer.

8586. How long?—It might be a few minutes; he came in just after Palmer came in, and was sitting and talking.

8587. Had he been in the house before?—No.

8588. What party frequent your house chiefly in election times, the Blues or the Oranges?—Both.

8589. Which most?—The Orange party most hitherto.

8590. Mr. *Hill.*]—Are you a voter?—No.

8591-2. You do not mix yourself up with party politics much?—No.

Examined by the Committee.

8593-4. When did Palmer pay you for the ale he drank?—Then.

8595. When?—That day.

8596. Does he pay at the end of the night?—Yes, as he had it in.

8597. Each

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8597. Each quart by itself?—Yes; quart or pint, whatever it was.

8598. He said that he had the two sovereigns, and that he would spend it?—Yes.

8599. You are not certain whether he said that he received them to-day?—No, I am not.

8600. Did you understand that he had the two sovereigns safe in his possession?—No, I did not understand that; I never saw them.

8601. You understood that he had received them lately, and would spend them?—Yes.

8602. You did not understand that he had had them for a fortnight, and had been getting drunk upon them?—No; he had not been in my house before; not when I was in; not that I saw him. He might have been in to have a glass of ale, and go away again.

8603. And though drunk, as you describe, he mentioned his not being put down by Mr. Harrison as poll-clerk; and that was the reason why he deserted the Orange party and went to the Blues?—Yes.

8604. And this quart of ale of Walker's was drunk by himself and three other persons?—Yes.

8605. Do you remember the appearance of that packet; the second cover which came out of his pocket?—Yes.

8606. Did you look at it, and read the direction?—No.

8607. Did it appear much rumpled?—No; I cannot say; no, not much; he had not folded it regularly up.

8608. Have you ever seen it since?—No.

8609. What colour was it?—I think the colour was a sort of brown cartridge; not brown, but what we call whity-brown.

8610. It had no post-mark?—No.

8611. And he said that it came through another channel, and that he would not tell through what channel; are you certain that he said that?—Yes, positive.

8612. Was there any difference in the outside cover and the first one which he produced?—Yes, it was writing paper on the inside.

8613. On which there was no direction?—No direction.

8614. Have you had any conversation with Walker upon the subject of the evidence you were to give to-day?—No, nothing in particular.

8615. What conversation have you had?—Nothing; no more than what had he come about; that I had come to speak the truth.

8616. Describe what passed between you and Walker respecting the evidence that you were to give to-day?—Nothing more than I had come to speak the truth, and that is all; and he said, "You cannot say nothing more than what you heard in the room."

8617. Have you read the York paper which contained an account of what he said?—No.

8618. Are you aware that there was a report in the newspaper?—Yes; I cannot read.

8619. Have you had it read to you?—Yes.

8620. When was it read to you?—At the inn just opposite.

8621. Where; in London?—Yes, where I was stopping.

8622. Was that read to you at the inn?—Yes.

8623. Who read that?—I think it was Bradley.

8624. Who was present?—There were many in the room.

8625. Was Mr. Anderson present?—No.

8626. Mr. Leman?—No.

8627. What was the purpose of his reading that?—He took up the paper, and he said, "I see here is Walker's evidence respecting Palmer." "Indeed," said I; and he read it. But I did not take much notice of it.

8628. Whom have you seen since you came to town, and conversed with, upon the subject of your evidence to-day?—I saw Mr. Leman.

8629. When?—This morning.

8630. What passed between you?—I merely told him what I knew about this transaction.

8631. Did he put it down?—Yes.

8632. Have you seen Mr. Anderson since you came to town?—Yes.

8633. When?—At the same inn.

8634. When?—I do not know the name of the inn.

8635. When

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8635. When?—This morning.

8636. Had you heard this York newspaper read before Mr. Leman put down what you had to say?—No.

8637. Who read it to you?—Bradley, I believe it was.

8638. Mr. *Wrangham.*]—About what time did Mr. Leman put down what you said?—About 11 o'clock.

8639. *Committee.*]—When you saw this letter pulled out, you cannot read, you say?—No.

8640. Therefore you did not examine the direction of the letter?—I never took it into my hand.

8641. Was there anything upon the first letter?—Nothing that I perceived; I looked when it was thrown upon the table, and I did not see any direction upon it.

8642. Might there have been a direction upon it without your seeing it?—Yes, there might have been, but I do not think there was.

8643. With regard to the second, did you see whether there was any direction on that?—Yes, I saw the direction.

8644. Did you notice it; how came you to pay attention, when you cannot read?—Because Walker held it out in his hand to Mr. Palmer, and said, "This is not it; here is no post-mark; there is nothing but the direction," and that I observed.

8645. Did he say there is no direction?—I cannot say; he said that was not it.

8646. Mr. *Wrangham.*]—Where did Mr. Leman take your evidence down?—It was in a room in this inn, the Exchequer Coffee-house, that is the name.

8647. Close by?—Yes.

8648. Mr. *Hill.*]—You were going to state what was the reason that you knew that the writing paper was not the letter; you said, "because"——?—There was no direction on the writing paper at all.

8649. Mr. *Wrangham.*]—Did I understand you to have had the newspaper read at the same place?—In the same place, but not in the same room.

[The Witness withdrew.

John Bradley, was called in; and Examined by Mr. *Hill*, as follows:

John Bradley.

8650. ARE you a joiner?—Yes.

8651. Do you live at York?—Yes.

8652. Do you know the person who is standing at your left-hand?—Yes.

8653. Who is it?—John Palmer.

8654. Do you know Mr. Walker, the plane-maker, and Mr. Taylor, of the Fox?—Yes.

8655. And Mr. Harrison Saville?—Yes.

8656. Were you at the Fox at any time when all those persons were present?—Yes.

8657. Where was it in the Fox?—In the parlour.

8658. Is that the back or front parlour?—The front parlour.

8659. At what time of day was it?—In the evening, about nine o'clock, when I went.

8660. Did you go into the parlour?—I did.

8661. Who were there when you went in?—Mr. Walker, Saville, and Taylor, the landlord.

8662. Were they in conversation?—Yes.

8663. What were they talking about?—About the late election for the city.

8664. At what part of the conversation were they when you went in?—Mr. Walker was talking to Mr. Palmer why he had voted for Mr. Lowther, as he had always been on the opposite side of the question, and he said ——

8665. Who is he?—Mr. Walker; he said, "Circumstances alter cases;" and he said Mr. Harrison promised him to put him down for poll-clerk, and he did not do it, and that was the reason.

8666. What was the next point started?—The next point was, had he received any money; and he said yes, he had received his sovereigns; and Mr. Walker asked him if he would let him have the letter, and he said he would not let him have it, but he would take a quart of ale for it, and Mr. Walker gave him it; and then

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then he refused to deliver the letter up, but by a little persuasion he did deliver it up.

8667. What do you mean by the letter?—What the sovereigns came in.

8668. Was one of piece of paper produced or two?—There was the inside part produced, with the impression of the sovereigns upon it.

8669. Was there any direction upon that?—There was not; and Mr. Walker wanted the cover and all.

8670. What did he say?—He said he had the cover in his pocket; and he took it out and threw it on the table.

8671. Was there a direction upon that?—There was, "John Palmer."

8672. Did you read it yourself?—I did; I had it in my hands.

8673. Do you think you should know it again?—I think I should.

8674. Have you seen it from that time to this?—No.

8675. What was the direction?—I saw "John Palmer, Goodram-gate."

8676. Do you remember what the number was?—No, I do not.

8677. Do you remember whether his trade was put upon it?—I cannot say that; I saw him throw it on the table, that was all.

8678. Have you had it in your hand?—No.

[*A letter was shown to the Witness.*]

Witness.]—I cannot say that that is the paper.

8679. Is that like it?—Yes, it is.

8680. Is it the same sort of paper?—It is the same sort of paper exactly.

8681. And the same size?—It was not folded in this way when he threw it down; he had it rumpled in his pocket.

8682. So that you did not see the size when it was folded?—No.

8683. Do I understand you, you could not take upon yourself to say that is the paper, but it resembles it?—It resembles it.

8684. Do you remember whether, when Mr. Walker read the direction, he said anything about it?—No, I do not remember it; when he saw the direction, he looked for the post-mark, and there was none upon it; and he said he thought that was not it; Palmer said that it came by another conveyance.

8685. Why did he say, that he thought that it was not it?—Because it had not the post-mark on it.

8686. What became of Mr. Walker?—He went home.

8687. Did anybody go with him?—Yes, Saville.

8688. Did they come back while you stayed?—Yes, they did.

Cross-examined by Mr. Wrangham.

8689. Did Walker say anything when he went out?—He asked us to stop till he came back, he was going to Stone-gate.

8690. He spoke so as to be heard by everybody there?—Yes.

8691. Did you see him give Saville a nod?—He asked Saville to go with him, to the best of my remembrance.

8692. Have you as accurate a remembrance of that as of the rest of the conversation?—He might give him a nod, but to the best of my recollection he asked him to go.

8693. You say the letter was rumpled when it came out?—Yes.

8694. How came you to be able to read the direction?—Mr. Walker spread it out on the table to read the direction.

8695. Are you a voter?—I am.

8696. I need hardly ask you whom you voted for?—Barkley and Dundas.

8697. Are you a member of this Society for the Diffusion of Political Knowledge?—I am not.

8698. Do you ever go to the reading-rooms?—I have been twice.

8699. You remember the letters going out; was it after that or before that, that you had this talk with Palmer?—It was after; of course after the letters had gone out.

8700. How long after?—It would be a few days; I cannot specify the time exactly.

8701. Was it two or three days?—It might be from three days to a week, perhaps.

8702. When did you come to town?—I came on the Thursday.

8703. At what time did you get here?—I came by the packet.

8704. At what time did the packet come?—At five o'clock.

8705. Who summoned you?—I have not been summoned.

8706. What brought you to town?—I came upon business.

8707. Have you seen Mr. Anderson or Mr. Leman since you have been here?—Yes.

8708. When did you see them first?—On Friday morning.

8709. Did you converse with them about this transaction?—No, not on Friday morning I did not.

8710. When did you?—This morning.

8711. About what time?—About 11 o'clock.

8712. At the coffee-house here?—Yes.

8713. Have you read the York newspaper with Mr. Walker's evidence in it?—I have not.

8714. You mean you have not now?—I have not.

8715. Then I need not ask you whether you have ever read it anywhere else?—No.

8716. Are you aware of the evidence Mr. Walker gave?—No, I have never seen it anywhere.

8717. Then I need not ask you whether you read it to Mr. Taylor?—No.

8718. This morning?—No.

8719. Do you mean to say that you did not read it to Mr. Taylor, either before or since 11 o'clock?—I do.

8720. And that you have not seen it?—No.

8721. If anybody has told us that you read it to Mr. Taylor, he has told us that which is false?—Yes.

8722. Particularly if he has said that you read it to him since 11 o'clock?—Yes.

8723. Have you seen Mr. Walker since you came to town?—Yes.

8724. Have you talked to him about this business?—Yes.

8725. Did you tell him your recollection of this matter?—Yes.

8726. Did he tell you what he would say?—No, he did not tell me his evidence.

8727. You told him what you knew about it?—Yes, of course, I should in common conversation.

8728. Did he tell you?—He never told me what he had said; in conversation he asked me what I remembered about it, and I told him; that was all that passed about it.

8729. You are quite sure that you never read the York paper containing Walker's evidence to anybody or to yourself?—Yes.

8730. Have you heard it read?—No.

Re-examined by Mr. Hill.

8731. You say that you came to London on business; was it business connected with this matter?—No.

8732. Do you know how they learned that you knew anything about it?—By my going to call on Mr. Walker.

8733. When was that?—On Friday morning; I was going back.

8734. Did they know that you were in town?—Yes.

8735. Did Mr. Anderson or Mr. Leman take down your evidence in writing?—Mr. Leman.

8736. About this York paper; have you read any York paper this morning to anybody?—No, I have not.

8737. Did you see anybody or hear anybody reading it to Mr. Taylor?—No, I did not.

8738. You say you were going back on Friday morning, and that you were stopped, because you called on Mr. Walker?—Yes.

8739. Did you and Mr. Walker at that time converse about this matter?—He said he was going himself this morning, but he had further orders.

8740. Why did that make you stop?—Because I had an order or summons.

8741. From whom?—From Mr. Anderson.

8742. When?—On Friday.

8743. It was not a summons?—No, it was a verbal order.

8744. When was that?—After I had seen Walker.

8745. You saw Mr. Anderson after you had seen Walker?—I saw Mr. Anderson with Mr. Walker.

8746. Did

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8746. Did any conversation pass upon what you were to be examined?—He asked me if I knew anything about it, and I told him I did, and he told me to stop.

8747. *Committee.*]—Are you intimate with Walker?—Yes.

8748. Is he a plane-maker?—Yes.

8749. Do you owe him anything?—No.

8750. Are you under any obligation to him?—No.

8751. When Palmer gave this cover, there was a remark made that it had not a post-mark upon it?—Yes.

8752. And Palmer said that he had received it through another channel?—Yes.

8753. Did he say that he would not tell through what channel he obtained it?—Yes.

Thomas Taylor, again called in; and Examined by the Committee.

Thomas Taylor.

8754. YOU say that Walker's evidence was read to you from the York paper?—Yes.

8755. And by Mr. Bradley?—I believe it was.

8756. Where was it read to you?—In a room in the inn.

8757. Are you sure it was read by Mr. Bradley?—I believe it was; I was talking to my brother at the time, and, as I said before, I did not take much notice of it; but Bradley read it, to the best of my recollection.

8758. That person—[*pointing Bradley out*]?—Yes.

8759. Did you see him when he was reading it?—Yes, he was sitting at my left-hand, and he read it.

8760. To Mr. *Bradley.*]—What do you say to that?—I never read any of the evidence out to any one; I had not the paper two minutes in my hand; I read part of it to myself.

8761. You read part of the evidence to yourself?—Yes.

8762. But not out loud?—No.

8763. Did you hear it read by any one else?—I did not, that I can swear.

8764. You read part of the evidence to yourself?—Yes.

8765. To Mr. *Taylor.*]—Who else was in the room?—There was my brother.

8766. Who besides was in the room?—Mr. Bradley, Saville was, and Walker, and some of the other gentlemen.

8767. Mr. *Wrangham.*]—When?—All the time.

8768. You sat all together?—No, we went up to be examined; me and Taylor and Saville, to be examined.

8769. You were in Taylor's company all the time?—Yes.

8770. From that time till now?—Yes.

8771. Then if anybody had read it aloud to Taylor since 11 o'clock, you must have known it?—Yes.

8772. To *Taylor.*]—How do you account for this?—I cannot say; to the best of my judgment it was Bradley, and my brother was with me.

8773. Mr. *Hill.*]—Are you sure that that man read it to you?—I cannot positively say, but I thought it was he.

8774. Mr. *Wrangham.*]—But you are quite sure that you saw him in the room at the time?—If I thought it was he reading the paper, I thought he was there.

8775. You do not recollect what passed two hours ago, but you come to speak to a conversation several months ago?—Because at this time I was particularly engaged talking to my brother, a person I had not seen for 10 or 12 years; and I was talking to him at the time.

8776. Did you not say that you were sitting at a table at the time this man had it in his hand?—He sat at my left, and my brother sat on my right.

8777. Had he the paper in his hand at the time he was sitting at your left?—I expect that he had.

8778. Did you see the paper in his hand when he was sitting at your left?—Yes.

8779. Was there any body between you and him?—I cannot say whether there was anybody between him and me.

8780. Mr. *Hill.*]—Was not the person who read the paper, whoever it was, that was sitting to your left-hand side?—It was.

8781. And your impression is, or was, that it was Bradley?—I thought it was Bradley.

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8782. Mr. *Wrangham.*]—You are quite sure that it was part of Walker's evidence you heard read?—Yes.

8783. You could tell what was read?—Yes.

8784. Mr. *Hill.*]—What was it that you heard?—The same tale that I have told respecting the letter that came.

8785. To *Bradley.*]—You said that you read part of it yourself, but no part aloud; was it Walker's evidence?—No, the evidence in the beginning of the week.

8786. You never read, or heard read, Walker's evidence?—No.

8787. *Committee.*]—When Palmer was asked, in the Fox public-house, whether he had received the sovereigns, what did he say?—He said that he had been on a sprig.

8788. Did he say how long?—I cannot recollect the exact words, but he had been on a sprig.

8789. You do not remember whether he said a fortnight?—No, I do not remember.

James H. Saville, called in; and further Examined by the Committee.

James H. Saville.

8790. WERE you in the Exchequer coffee-room with the other witnesses about 11 o'clock?—Yes.

8791. Did you hear anybody read the account from the York newspaper this morning?—No, I did not.

[The Witness withdrew.

8792. To *Taylor.*]—Was it in the coffee-room or in the private room?—I do not know.

William John Walker, called in; and further Examined.

W. J. Walker.

8793. WERE you in the coffee-room with the other witnesses about 11 o'clock?—I went in to see if they had got up.

8794. Did you stay there with them?—No.

8795. Did you hear anybody read the evidence out of the newspaper?—No.

8796. Did you hear it partly read this morning?—No.

8797. Was the York newspaper in the room at all?—I did not see it.

[The Witness withdrew.

John Palmer.

8798. To Mr. *Palmer.*]—You have stated that the conversation with Mr. Walker, as stated by him, has not taken place; that you did not give him this parcel, and had not been at the Fox public-house except one morning; you have heard what three other witnesses, besides Walker, have said, all of whom have declared that they saw you there, and that they saw you give the letter, and heard you give the reason for changing your mode of voting; have you any explanation to give to the Committee on that subject?—I have decidedly; I deny it altogether. As to two of the witnesses, I do not know that ever I saw them in my life before, the second and the last, Saville and Bradley.

8799. Do you persist positively in your declaration?—I do.

8800. Having heard the evidence that they have given, you assure the Committee that that evidence is false as regards yourself?—It is decidedly so.

8801. Had you not about that time spent nearly the whole of the day in the Fox public-house?—Not to my recollection.

8802. When you are in liquor, do you retain a recollection of what has taken place?—Yes, certainly; I am certain of this, that what is stated is incorrect; Taylor himself said that it was a brown paper parcel which I took out of my pocket.

8803. Then the Committee are to understand that you give no explanation of this difference between you and the other four witnesses, who assert that they saw you there; that their evidence is false?—Yes; there are two of the witnesses that I never saw in my life before; I only met with Mr. Walker at Taylor's, both before and after.

8804. And you now take upon yourself to say that that parcel was never in your hand?—Never, I am confident of it; it is not at all similar to the parcel that I received.

8805. Do

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8805. Do you wish any questions put to any of the witnesses who have been examined this morning, to clear up the matter between you?—No, I have no questions to ask.

8806. Mr. *Hill.*]—You say that you do not know Saville and Bradley?—No; I think I have seen the latter witness before; but as to the second witness, I do not recollect having seen him in my life.

8807. Do you frequent the Fox?—Yes, I occasionally go there.

8808. What did you do with the two sovereigns that you got; how did you dispose of them?—I believe that I paid 10 *s.* to a tailor.

8809. Are you sure?—Yes, I am certain of that.

8810. Now, the other 30 *s.*?—I cannot say; I mean to say when I received it I paid the tailor 10 *s.*

8811. And 30 *s.* may have gone in drink?—No, it did not all go in drink.

8812. How much of it?—Not much of it did go in drink.

8813. How much, 5 *s.*?—Yes, I might have spent 5 *s.*

8814. Ten shillings?—No.

8815. Are you certain you did not spend 10 *s.* in drink?—Yes.

8816. Were you not drunk very early this morning?—No.

8817. Where did you sleep last night?—At the west end of the town.

8818. Did you sleep at your hotel last night?—No, I did not; it is the only night that I have not slept there.

8819. Did you happen to be lying on Westminster-bridge this morning?—I took a walk over the bridge this morning, and sat down there.

8820. At what time was that?—About six o'clock.

John Taylor was called in; and Examined by Mr. *Hill*, as follows:

John Taylor.

8821. ARE you the brother of the former witness?—Yes.

8822. Have you been in the room the whole time?—Yes.

8823. Did you hear the questions that were put to Mr. Palmer?—Yes, I did.

8824. Did you see him this morning?—I saw him on Westminster-bridge, asleep, about 20 minutes or 25 minutes after six; I and my brother and Saville were together, and they pointed out the person to me.

8825. You know him again?—Yes.

8826. Where was he?—On the second opening on the bridge on the right-hand side.

8827. In what state did he appear to you to be?—He was in a sleeping posture, as comfortable as if he was in bed.

8828. Were Saville and your brother there?—Yes.

8829. Did you wake him?—No, we did not go near him; he was on the opposite side of the road.

8830. Were you close to him?—No.

8831. Mr. *Wrangham.*]—Did you ever hear of a man's being asleep without being drunk?—Yes, I have slept without being drunk many times; I have not said that he was drunk.

8832. You are a brother of Taylor the witness?—Yes.

8833. Have you heard your brother's evidence?—I have heard him speaking.

8834. You have been in here?—Yes.

8835. You had not seen him for 10 or 12 years?—I dare say it is 10 years at least; it is a long time since I have seen him.

8836. Were you in the Exchequer coffee-room?—He slept there, and I called on him this morning.

8837. How did you sit with reference to him?—On the right-hand side, in the corner.

8838. Do you remember who sat on his left?—No.

8839. Was anybody reading the newspaper?—Yes, there were people present reading the newspaper; Mr. Hanson, I think, was one, and another gentleman, but I am not acquainted with their names.

8840. Did you see Bradley?—Yes, he was in and out; I was sitting in the room by myself, and my brother came and sat down and talked with me, and then returned to his business.

8841. Did you hear the newspaper read aloud?—Yes, I did.

8842. Containing Mr. Walker's evidence?—No, I cannot say that I have heard that.

 8843. What

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8843. What did you hear?—I cannot say what it was; I heard a gentleman reading the paper, and I believe it was Mr. Hanson; I heard him reading the paper.

8844. Was Bradley in the room then?—I cannot say whether Bradley was in the room or not; I was engaged with my brother in talking.

8845. You have heard Bradley say that he never left the room?—Bradley was in and out; one room I was not in at all.

8846. To *Palmer*.]—Were you asleep on Westminster-bridge?—No, I laid down.

8847. Did you put your legs up?—Yes, I was in a reclining posture.

8848. In fact, you were on Westminster-bridge reposing yourself this morning?—Yes, I was taking a walk on the bridge at that time.

8849. Mr. *Wrangham* to *Taylor*.]—Are you sure that Palmer was asleep?—I cannot say whether he was asleep, his eyes were shut at the time; on coming to the coffee-house I saw Palmer at breakfast.

[The Witnesses withdrew.

Mr. *Wrangham* here stated that he would now call his Witnesses.

Thomas Peacock was called in; and Examined by Mr. *Wrangham*.

Thomas Peacock.

8850. YOU are a guard of the Edinburgh mail?—Yes.

8851. Do you live at Clifton?—Yes, it is my home.

8852. You are a voter for York as a 10 *l.* householder?—Yes.

8853. Is there any other Peacock a 10 *l.* householder at Clifton?—No, I believe not.

8854. Do you know Shepherd, the porter at the tavern?—Yes, perfectly well.

8855. Did he ever deliver a letter to you containing two sovereigns?—Never.

8856. Did you ever receive a letter containing two sovereigns?—Never.

8857. You voted a plumper for Mr. Lowther in the last election?—Yes.

8858. How did you vote in 1832?—I split between Mr. Bayntun and Mr. Lowther.

8859. What was your reason for giving Mr. Bayntun a vote?—Because he professed conservative principles.

8860. Was he a Blue?—Yes.

8861. Did you understand him to be a Blue?—Yes.

8862. Was that the colour of his bands and ribbons?—Yes.

8863. Do you know George Cass, of Clifton?—Yes.

8864. Is he a voter?—Yes.

8865. In what state of health is he?—He has had a serious accident; he was going to his field, and the horse ran away with the cart and knocked him down, and ran over him.

8866. Is he able or not to come up here?—He is confined to his bed, at least he was when I left home.

8867. Have you heard from him whether he ever received any sovereigns?—

Mr. *Hill* suggested that this evidence was not admissible.

Mr. *Wrangham* submitted that it was admissible.

The Committee determined to receive the evidence.

8868. Did he tell you that he never had received any?—He told me that he had never received any.

8869. George Cass?—Yes.

8870. Do you know of any other Cass at Clifton, a voter?—No, I do not; there is not another, I believe.

8871. Have you any reason to doubt that he told you the truth?—No, I have no reason to doubt it myself.

8872. Have you ever heard that he had received it?—No.

8873. Were you in York at the time of the last election?—On the first day.

8874. There have been questions asked about drunkenness; in your judgment was there more drunkenness or less at the last election than previously?—I never saw less in my life in an election; I was in only the first day.

8875. You

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8875. You were in the first day?—Yes.

8876. You who had voted for Mr. Bayntun in 1832, gave your vote to Mr. Lowther as a Blue candidate in 1835?—Yes.

8877. Do you believe that many others acted on the same principle?—I have no doubt a great many did.

8878. Many of the Blues in 1832 have been angry with Mr. Lowther for opposing Mr. Bayntun?—Yes, they considered that Mr. Lowther was on the same principles as Mr. Bayntun.

8879. *Committee.*]—What induced you to ask Cass whether he had not received a parcel?—He was in the room, and he said he was a poor man and thought he ought to have money, and he asked me if I had it, and I told him I had not.

8880. When was that?—Three weeks ago; it is 12 days since he had the misfortune, I should think.

Cross-examined by Mr. Hill.

8881. You are a guard?—Yes, I am.

8882. You live at Clifton, near York?—Yes.

8883. At what time do you get into York?—At six minutes before five in the afternoon.

8884. And when do you leave York the following day?—I stop at York the following day.

8885. Were you on the election in York?—I voted the first day.

8886. Are you a married man?—Yes.

8887. How many days of the week are you at home?—Three one week and four the other; there are three of us.

8888. Where do you go to?—To Grantham, and stop at Grantham all night.

8889. So Mrs. Peacock has not given you any sovereigns?—No.

Re-examined by Mr. Wrangham.

8890. Have you any reason to believe that she ever received one?—I am quite certain that she never did.

[The Witness withdrew.

Mr. *James Kitchen* was called in; and Examined by Mr. *Wrangham*, as follows:

Mr. *J. Kitchen.*

8891. ARE you James Kitchen the younger?—Yes.

8892. Whom did you vote for in 1835?—Mr. Lowther.

8893. Is there any other James Kitchen the younger in Clifton?—No.

8894. Did your father vote?—No.

8895. Do you know Shepherd, the porter of the tavern?—Yes.

8896. Did he ever deliver you a parcel with sovereigns?—No.

8897. Did you ever receive a parcel with sovereigns?—No.

8898. From him or anybody else?—No.

8899. Did you ever expect to receive any parcel?—No.

8900. Did you vote for Mr. Lowther in 1832, the first time that Mr. Lowther came to York?—Yes, I did.

8901. Do you know whether the Blue party were united or divided on that election?—Divided I should say.

8902. Between Mr. Lowther and Mr. Bayntun?—Yes.

8903. Did Mr. Lowther lose the support of many of the Blue party at that time?—I should say so by their being divided.

8904. As far as your information goes, did those Blues who voted for Mr. Bayntun, and not for Mr. Lowther, in 1832, return to the Blue standard, and vote for Mr. Lowther in 1835?—Yes, I should say so; I cannot speak but as an individual.

8905. I am asking you of your impression; you belong to the Blue party yourself?—Yes.

8906. Were you at York during the whole of the last election in 1835?—Yes, I was.

8907. Did you see any extraordinary quantity of drunkenness then?—No, not particularly; nothing more than what there was at other elections.

8908. Do you think that there was more or less drunkenness at the last election than at former ones?—I do not think that there was more.

8909. Did you see or know of any public-houses being open?—No.

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Cross-examined by Mr. Hill.

8910. What are you?—I am a clerk.

8911. Where?—At York.

8912. In whose employ?—The tax commissioners of the North Riding.

8913. Where is your office where you are employed?—At the White Horse, out of Bootham-bar.

8914. Where do you spend your day at your employment?—I am with my father; I lodge at my father's house.

8915. But you are in the employment of the tax commissioners; where do you write?—At my father's office.

8916. How far is that from where you live?—I live with my father.

8917. Is your office in the same house?—Yes, it is.

8918. You say you voted for Mr. Lowther in 1832?—Yes.

8919. Did you vote for Mr. Bayntun in 1832?—No.

8920. Why did you not?—I cannot give a reason for that.

8921. Did he come upon Conservative principles in 1832?—No, not in 1832.

Re-examined by Mr. Wrangham.

8922. He had blue colours?—Yes.

8923. And was supported by many of those who had supported him in 1830?—Yes.

8924. You say that your office and residence is out of Bootham-bar?—Yes.

8925. But during the time of the election, were you in the streets of York a good deal?—Yes.

[The Witness withdrew.

Mr. *Jonathan Williams* was called in; and Examined by Mr. *Wrangham*, as follows:

Mr. *J. Williams.*

8926. ARE you a painter at York?—I am.

8927. One of the Blue party?—Yes.

8928. Do you remember dining at the George Inn on the second polling day?—I do remember it very well.

8929. In what capacity did you act there?—I was considered a vice-chairman at that time. We went in promiscuously any way; where we got a seat we sat down; but I happened to get a seat at the end of the room, and I sat there, else we had no appointment of chairman, but sat where we could get.

8930. What sized party was it?—I should think 12 or 14; not to exceed that.

8931. You sat at one end of the table?—Yes.

8932. Do you know a young man of the name of Walter Carter?—I know him perfectly well.

8933. What was he at that time?—He was apprenticed to Mr. Peters, a law stationer.

8934. Was he present on that day?—He was.

8935. Did he ever say at that dinner that the greater number of best and unbiassed votes were given to Mr. Barkley?—I never heard him say so.

8936. How far did he sit from you?—He sat nearly opposite to me. I sat not opposite to the door, but on one side to avoid the fire.

8937. He sat near to you?—Nearly opposite, not quite, a little higher up.

8938. If he had said anything of that kind, addressed to the party, must you not have heard it?—Of course, unless he had spoken very low.

8939. Then I need hardly ask you whether that sentiment was generally acknowledged by all parties present?—It never was named to my knowledge.

8940. You can say for yourself that you did not acknowledge it?—I did not acknowledge it, and never heard it named in any shape.

8941. You did not of course hear any one else mention it then?—I never did.

8942. Was Mr. Barkley's health ever proposed to this company?—I never heard it.

8943. Did you hear Mr. Carter make any speech in proposing Mr. Barkley's health?—Never.

8944. You did not hear anything about drinking the health of the prostrate foe?—No, I never heard such a thing named.

8945. Do you believe that it could have been named without your hearing it?—No, it is impossible for the whole company to do it, and me not to hear it.

8946. Did

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8946. Did Mr. Carter state himself to be of Orange principles to the company?—I did not hear him.

8947. From what you know of the party, and from what you know of yourself, do you think if Mr. Barkley's health had been proposed, that it would have been drunk?—No, I am certain that it would not.

8948. What makes you certain of that?—I think the party that was there would not have drunk Mr. Barkley's health.

8949. Was Mr. Short there at any part of that time?—Yes, he was there part of the time, but not all the time.

8950. Do you recollect for what purpose he came in?—He came in to get his lunch with the rest of us.

8951. What did he get?—He got a basin of soup; but it was after we had done dinner that he came in; he came in when we had done dinner.

8952. Then I need not ask you whether he was in the chair?—He happened to sit down at the end of the table.

8953. That was after you had done dinner?—Yes, the dinner was not withdrawn, but we had finished.

8954. Did he sit any length of time?—He did not stop till we all went, for I was the last.

8955. You say that Carter sat towards your end of the table?—He did when I saw him; I did not see him till he challenged me; I knew him when a boy, but I did not notice him till he sat nearly opposite me.

8956. Do you recollect the election in 1832?—I do, very well.

8957. Were the proceedings there very quiet and orderly or not?—No, they were not very orderly.

8958. Was there any disturbance?—I was in the house that was broken open at the time, the Punch Bowl in Stone-gate, Thomas Joy.

8959. You say it was broken open?—The door was forced open.

8960. Were there many people attacking it?—There were a great many.

8961. Can you give us any idea of how many?—I cannot say how many, but the street was nearly blocked up at the time.

8962. Did you see anybody that was leading the mob?—Yes, Mr. Leman was one; I was looking at him all the time out of the window, and there was another young gentleman of the name of Ellis, whom I did not know till afterwards who he was.

8963. Was his father chairman to Mr. Petre?—No, I believe not; I do not know that he was.

8964. Who was?—Major Ellis, that is the brother to his father.

8965. You were looking at them all the time; where were you?—At the chamber window; I went to the house by mere chance; I was passing by, and called to see a person that I knew; and it was during that time that this happened, else I had no business there.

8966. Was the mob very peaceable or otherwise?—Not very peaceable, they broke the door open.

8967. What with?—With one of the low shutters, I believe, that went to the window.

8968. Did you see how they used it?—They took the end up and pushed it against the door.

8969. You do not know what a battering-ram is?—Yes, it is something similar to a battering-ram.

8970. When the door was broken open, did any one rush in?—Yes, many did.

8971. Did Mr. Leman come in among the rest?—I believe he did, but I did not see him.

8972. You say that he appeared to be leading the mob?—He was amongst them undoubtedly, and appeared to be leading them, as I could see.

8973. Did they appear to be acting under his directions?—I believe that if he had told them, they would have desisted; but he did not try to stop them.

8974. Did he appear to give any orders?—I never saw him give any orders, he was busy among the rest; I did not see him do anything in particular.

8975. Did you make your escape?—I remained up stairs.

8976. Did they come up stairs?—Yes, some of them; and they said they could not find what they wanted.

8977. During that election, were Mr. Lowther's friends allowed to go about generally

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generally unmolested?—No, they were not; they were very much molested at times.

8978. Were the committee-rooms left quiet?—No, they were not.

8979. Was it necessary to have a great force to resist those attacks?—It was, no doubt.

8980. Are you aware of there being any division of party between Mr. Bayntun and Mr. Lowther; that the Blues some voted for Bayntun and some for Lowther?—Yes, I am aware of that.

8981. Those Blues who supported Mr. Bayntun in 1832, have they come back to Mr. Lowther in 1835?—I believe most of them have that are Blues.

Cross-examined by Mr. Hill.

8982. You voted for Mr. Lowther?—I did.

8983. And were very active for him at both the elections?—Not particularly so.

8984. He had many excellent friends, and you were one of them?—Of course I was one of them.

8985. You were speaking of an attack in 1832; will you state any one thing that you saw Mr. Leman do?—I did not see him doing anything in particular, but he was amongst the mob.

8986. How near to the window that was broken into will you take upon yourself to say that he was?—It is a very low house, and I was looking from the window, and this was the window, not below the room where I was, because this is not the same house.

8987. How near was Mr. Leman?—Close to the window; I saw him looking through the room window.

8988. Was that while the attack was going on?—No, I will not say that.

8989. Did they tell you that they were come to look for persons giving bribes?—They did not tell me so.

8990. Did you hear them say so?—No; it was reported in the town that they were doing that, but I never heard them.

8991. What did they say?—They said that they were giving sovereigns to the freemen.

8992. What did the people that broke in say?—They did not say nothing to me.

8993. What did they say?—I could not tell; I do not know what they said in the house.

8994. What did you hear them say; did you hear the mob declare their object?—I did not hear them declare their object, but they swore that they would be in.

8995. Did they not say out loud enough what was their object in coming there?—I cannot be positive upon that, I did not hear it; their object was to force in the house and see who was in, I understood, and to see what was doing.

8996. Do you know that Mr. Petre, the candidate, who was a magistrate of the city, was in the crowd?—I did not know that he was; I never heard of it till this moment.

8997. At this dinner that we have been speaking of, what did you call the dinner, was it a district committee dinner?—I was of the district committee.

8998. Was it a district committee dinner?—Yes, it was.

8999. What district?—The Bootham district; the district that I belong to.

9000. Mr. Short was there?—He was there a part of the time.

9001. Was Mr. Routledge there?—He was there a short time, but I cannot say how long, I am sure.

9002. Was Mr. Bierpark there?—He was, and sat next to me.

9003. Is he Lord De Grey's agent?—His brother is.

9004. Was Mr. Henry Hollins there?—Yes, he was there.

9005. Was there any gentleman there who was a coal-dealer?—There was not a coal-dealer in the room.

9006. Do you know Mr. Stephen Walton?—Yes.

9007. Was he there?—Yes.

9008. What is he?—He keeps a public-house.

9009. Is that all his trade; has he nothing to do with coals?—No, I believe not.

9010. Has he any other trade?—He was formerly a gentleman's servant or a lady's servant rather.

9011. Was he one of the district committee?—He was.

9012. Was

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9012. Was Mr. Samuel Pearson there?—No; he is a coal-dealer, but he was not there.

9013. Was that the night that there was an alarm of fire?—No, I believe not; the night following that was the fire.

9014. Are you quite sure?—I think it was.

9015. Were you there the whole time that the meeting lasted?—Yes, I was there all the time.

9016. At what time did you go away?—I am sure I cannot say positively; perhaps about 11 o'clock.

9017. Was it about 11?—I do not know exactly; I cannot say.

9018. Was it 10 o'clock?—I cannot say.

9019. Was it nine o'clock?—It was past that time, but I cannot say exactly; it was after nine.

9020. Are you sure of that?—Yes.

9021. At what time did you come?—At seven o'clock.

9022. Was the dinner as late as seven o'clock?—Yes.

9023. How many times did you dine there?—Only that once.

9024. Are you sure?—Yes.

9025. What part did you take in 1832?—I took no part; I was on no committee, and took no part anywhere.

9026. Were you a member of the general committee in 1832?—No, I was on no committee in 1832.

9027. Were you at the meeting at which 3 *l.* and 1 *l.* were determined to be paid to the voters?—No, I was not.

9028. Had you a sovereign letter?—I had not.

9029. Or packet?—No.

9030. You heard of the sovereign letters?—Yes, I heard of them; that is all I know about them.

9031. You heard of them?—I heard there were such things, but I never saw them.

9032. Had you no curiosity to see them?—I never saw them anywhere.

9033. Did Mr. Bayntun come upon Conservative principles in 1832?—No; I hardly know what he was.

9034. Was it not known that he voted for the Reform Bill?—Yes; but he professed to be a Tory after all, he said that he was a Tory.

9035. A Tory reformer?—Yes.

Cross-examined by Mr. Wrangham.

9036. My learned friend has asked you whether you were at the meeting where the 3 *l.* and the 1 *l.* were agreed to be given to the voters; you were not there?—No.

9037. And whether it was agreed; you do not know?—No.

9038. Was it not Mr. Bastow's house that was on fire?—Yes.

9039. Was that the day of the great dinner?—Yes; the alarm was given when they were up at dinner.

9040. Was that the day of chairing?—Yes, I believe it was.

9041. You say that you went to this dinner about seven o'clock?—As near as I can tell, but I am not positive.

9042. After the closing of the poll and so on?—Yes.

9043. You cannot tell to half an hour at what time you went away?—No.

9044. But you were the last person that stopped?—Yes, I was one of the last.

9045. Do you remember till what time Carter stayed?—I have no idea.

9046. Had you any idea that there was a person of different political sentiments from the others present?—I had not.

9047. *Committee.*]—How long did this dinner last?—Perhaps half an hour.

9048. Was there any drinking?—Yes.

9049. Was anybody the worse for their drinking?—I did not see any one.

9050. Did you hear every toast that was given?—Yes, I believe that I did.

9051. Are you certain that no toast was drank for Mr. Barkley?—I am quite certain.

9052. Do you remember every toast that was given?—Yes, I think that I remember them all.

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9053. Did you act as chairman in the course of the evening?—No, I never was considered as chairman, but as vice-chairman; we had no chairman appointed; we sat anywhere where we could get a seat.

[The Witness withdrew.

Mr. *Stephen Walton* was called in; and Examined by Mr. *Wrangham*, as follows:

Mr. *S. Walton.*

9054. DO you reside in York?—Yes, in the suburbs.

9055. Outside the Bootham-bar?—Yes.

9056. What are you?—A publican.

9057. Do you remember dining on the second day of polling at the George?—I do.

9058. Do you remember who was in the chair?—I believe there was no particular person appointed in the chair.

9059. Who sat at the end of the table?—I believe Mr. Williams did, as nearly as I can recollect; I believe that the fire being so large he sat a little on the side.

9060. Was he addressed as chairman or vice-chairman?—He was; but there was no particular chairman appointed.

9061. Do you recollect who sat next to you at that dinner?—Yes; Mr. Williams sat on my left, and I believe a person of the name of William Burnett sat on the other side.

9062. Then the person of the name of Carter did not sit next to you?—He did not.

9063. Not at any part of the time whatever?—Not at any part.

9064. Were you introduced to any such person?—I was not.

9065. Did you see a person of the name of Hollings there?—I did.

9066. How did he sit with reference to you?—As I might sit here, he sat at the opposite corner, in the evening part.

9067. Where did he sit before?—I believe at the lower part of the room; but I cannot point out the place where it was.

9068. Not near you?—No.

9069. Did you hear Mr. Barkley's health proposed, or his health drank by the company?—No, I never did.

9070. Did you hear anybody make a speech upon the subject?—None whatever.

9071. You do not remember a speech in which it was said, that it was the part of Englishmen to be merciful to the prostrate foe?—No.

9072. Could such an expression have been made use of?—It could not have been made, but I must have heard it.

9073. Do you think if it had been proposed it would have been drunk?—No; there was no person in the room that would have dared to have attempted such a thing.

9074. What would have become of them if they had?—I suppose that they would have been kicked out of the room.

9075. Why?—Because he was such an unpopular man; there was a conversation took place in the room respecting Mr. Barkley, but that was previous, signifying that he acted in a very ungentlemanly manner to many of the voters, whom he had solicited while canvassing; I believe that was mentioned in the room.

9076. What was represented to have been his ungentlemanly conduct?—I believe some very improper expressions that he had used to the candidates and to others; I believe Mr. Short said that he had been in one of his committee-rooms, and that he used such improper language as almost to show fight.

9077. You say that the party thought this very ungentlemanly conduct?—Yes.

9078. And you give that as a reason for supposing that anybody proposing his health would be kicked out of the room?—Yes.

9079. Were you active during the election?—I was.

9080. We have heard something of drunkenness; what is your opinion of the amount of drunkenness; was there a great deal in this election?—Decidedly not; I should consider that there was very little; I never saw less.

9081. You would say that there was very little?—Very little.

9082. Did you hear anybody say at this dinner that Mr. Barkley had the greatest number of the best and unbiassed votes?—No, I should suppose that there was no person there who would have made use of such expression.

9083. Did

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9083. Did you hear anybody make use of such an expression?—No, I did not.
9084. You did not then observe anybody assent to it?—No.
9085. Would you have assented to it if you had heard it?—Certainly not.
9086. Did you vote for Mr. Lowther in 1832?—I did.
9087. Was York very quiet during that time, or were there disturbances?—I believe there was some disturbance, but not to any extent. I was very tumultuous myself. I believe I went and got very intricate.
9088. Were you at the Punch Bowl when it was broken into?—I was not.
9089. Was there any split between the different parts of the Blue party in 1832, as between Bayntun and Lowther?—There was partly.
9090. As far as your information and belief goes, did those persons who left Mr. Lowther, and voted for Mr. Bayntun in 1832, come back to him in 1835?—I think so.

Cross-examined by Mr. Hill.

9091. Were you a member of the district committee?—I was.
9092. And of the general committee?—No, I was not.
9093. Were you a member of any committee in 1832?—I was not.
9094. What part did you take in 1832?—I merely took a part in canvassing about.
9095. You have had one of the sovereign letters?—There was a letter directed to me, of course I thought it my duty to take it in; I did not throw it in the street.
9096. You have got it?—Yes.
9097. It had two sovereigns in?—Well, two sovereigns it certainly had.
9098. Did you sign your name, and give a receipt for it?—I signed my name; when a parcel is directed to me, I consider that I may take it.
9099. Did you ever happen to have a letter with two sovereigns in, and no writing, before?—No, not to my knowledge.
9100. Have you any doubt that you never had?—I am quite certain that I never had.
9101. Did you get anything for voting in 1832?—I believe not.
9102. Cannot you tell one way or the other?—Not in 1832.
9103. Did you get anything a little while after the election of 1832?—No, I do not recollect that I did; to the best of my knowledge I did not get anything.
9104. Cannot you be sure; how often have you had money for polling?—I have not polled for many years.
9105. How many times have you had polling-money?—I have never had but once, this last time.
9106. Are you quite sure?—I believe I have not.
9107. But can you be quite sure; look at the Chairman, and tell him; you must speak as if you were upon your oath; have you ever had polling-money before the last time?—I never had no polling-money till the last time.
9108. Explain to us what sort of money it was that you did have?—I believe I had once a trifle for services.
9109. At what election was that?—I think it was the first election.
9110. When was that; whom did you vote for?—I voted for Mr. Lowther.
9111. That would be the election of 1832. Mr. Lowther has been only twice?—Yes, he has been three times.
9112. One was a sort of mock election?—Yes.
9113. Was that the election you got paid for?—I believe it was.
9114. Do not you know?—I am quite confident that it was.
9115. What service did you render?—I was a good deal about in canvassing about.
9116. Then you were paid for canvassing, were you?—I do not know what it was for.
9117. Had you made any bargain?—No, and I was never promised anything.
9118. Were you set down?—No.
9119. You know what setting down is?—It never came under my observation.
9120. But you know what it is pretty well?—No, I do not know what it is, because I have not been an elector many times, only these two or three years.
9121. You had money at that election, and you believe it was for canvassing; why do you believe it was for canvassing?—It was such a very trifling sum, that I dare say; I do not know what it was for.

 9122. I asked

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9122. I asked you, why do you believe it was for canvassing; and your answer is, it was such a trifling sum, that I do not know what it was for; cannot you give a better answer than that?—No.

9123. Did you do anything but canvass?—I canvassed the district, and that was all.

9124. What was the sum that you received?—I cannot exactly say what it was.

9125. How much was it?—I cannot say.

9126. How much was it?—I cannot say exactly; it was very trifling.

9127. Say to the best of your knowledge?—To the best of my knowledge it would not be above a sovereign.

9128. Was it exactly a sovereign?—I cannot say.

9129. It may be exactly a sovereign for all you know?—Just so.

9130. Who paid you?—That I am sure I cannot say.

9131. Not know who paid you?—No, I do not.

9132. Where were you paid?—I believe it was at the George Inn, but I cannot speak to that.

9133. Were you paid alone, or were others paid at the same time?—I believe there were some others paid as well.

9134. Come, now you must tell all; did you go up stairs into the room?—No.

9135. Did you go down stairs into the room?—It was below stairs.

9136. Then you went into the room to be paid?—Yes.

9137. Who was there in the room?—I am sure I cannot say; I cannot call to mind.

9138. Not any one person that was there?—No, I am sure I cannot call to mind any one person.

9139. Do you know Mr. Harwood?—I do.

9140. Was he there?—I cannot say whether he was there or not; I think he was, possibly.

9141. Were there other persons who went into the room to be paid?—I believe there were.

9142. Who were they?—I cannot say.

9143. Was there a crowd of persons waiting to be paid?—There might be, but not when I was there.

9144. How many were there waiting to be paid when you were?—Perhaps a score.

9145. Perhaps two score?—No.

9146. Were they all paid a sovereign apiece?—I do not know what was paid to them.

9147. Had you no conversation with them?—No, I had not.

9148. Did you not see them paid?—I might see some.

9149. What did those receive that you saw paid?—Whatever it might be; it might be the same as I got myself.

9150. What was it?—I cannot say what they received.

9151. Have you any doubt that they received just the same as you did?—I should think they did.

9152. And you think that that was a sovereign?—Yes.

9153. Had you given a single vote or a double vote?—I voted for a double vote.

9154. Whom did you vote for besides Mr. Lowther?—I never voted for any other person.

9155. That is what you call a double vote, a plumper?—Yes.

9156. Do you remember the Reform Bill passing?—Yes.

9157. Was this before or after the Reform Bill passed?—I cannot speak to that.

9158. Who were the other candidates besides Mr. Lowther?—I believe Mr. Bayntun.

9159. And was Mr. Petre also a candidate?—I believe he was.

9160. And Mr. Thomas Dundas?—I believe he was.

9161. Do not you know that at that election a plumper had 3 *l.*?—Part of them might, I cannot say; I do not know what they received.

9162. You gave a plumper?—Yes.

9163. Had you not the same as others?—They might make a difference; I cannot say.

9164. Will you state, as if you were upon your oath, that you had not 3 *l.*?—I might have; I cannot say.

9165. Beware

9165. Beware of your answer, for I shall move the Committee to commit you for prevarication; you told me that it was a sovereign just now?—I said that I could not say.

9166. Remember, you have been admonished by the Chairman to speak the truth; had you not 3 *l.* for your plumper?—I cannot say.

9167. Have you any doubt that you had 3 *l.* for your whole vote?—I cannot speak to it positively.

9168. Do not you believe that you had 3 *l.*?—I was a good deal about in the committee.

9169. Do not you believe that you had 3 *l.*?—It might be 3 *l.*, but I could not be quite positive.

9170. Do not you believe that it was 3 *l.*?—It possibly might be.

9171. Have you any doubt that it was 3 *l.*?—I have no doubt.

9172. Were you set down at the last election?—No, I was not; I was not about at all.

9173. Were you set down?—No, not to my knowledge, I was not; I never was aware of it; I was about in the district committee-room, but I knew nothing about setting down.

Re-examined by Mr. Wrangham.

9174. You said that you received a letter containing two sovereigns?—Yes.

9175. Did you expect to receive anything?—Nothing.

9176. Had there been any understanding that you should receive it?—No.

9177. Had your name been put down or set down?—Not to my knowledge.

9178. Had you any means of knowing where to return it, supposing you had been so disposed?—No, it was not possible for me.

9179. How long have you been a voter?—I took up my freedom in 1829.

Examined by the Committee.

9180. When you received this letter containing the two sovereigns, from whom did you suppose that that had come?—I had not the least idea where it came from.

9181. Did you never form a belief as to whom it came from?—No.

9182. Do you suppose that it meant nothing?—I know nothing at all, for I never inquired or expected anything of the sort.

9183. Do you mean to say you had no idea or belief from whom that money came?—Certainly not.

9184. You have no belief whether it was to remunerate you for what you had done or not?—No.

9185. You have no belief upon the subject whatever?—No.

9186. Did you hear parties speaking about these letters in the town?—I heard them speak of them, but this was after the letters were sent about.

9187. What did you hear them call them?—I never heard any persons express themselves particularly.

9188. What did you hear them call them?—I never heard any person express himself in anyway particular.

9189. You never heard one man say anything about the letters?—I heard him say that he received a letter.

9190. You never heard him speak of Blue letters?—No.

9191. In 1832, was a great deal of your time occupied?—Yes.

9192. There were disturbances in the town?—Yes.

9193. Were you active on your side?—I was active so far as this; I believe that was a time there was many insulted, for I was in the Thursday market, where the candidates were proposed; and I went there, and I, being a tall man, was slouched and obliged to take myself out of the place altogether.

9194. Were you at the meetings and nomination with the candidates?—I was about in the district committee-rooms, and when the polling was going forward.

9195. Whatever money you received, you considered a remuneration for your time?—Yes; I spent my time in the district committees getting the voters up to poll.

9196. Taking it altogether, do you think that the money which you received in 1832, was more than an adequate remuneration for your services?—Nothing near it.

9197. Do you suppose that the two sovereigns was a remuneration for the service you performed?—I did not consider it a remuneration, for I had always

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voted for Mr. Lowther, and I should certainly have done so if there had been anything or nothing; it would have made no difference, or have any influence, with me whatever.

9198. Mr. *Hill.*]—Did you perform something of the same service in 1835, as in the election of 1832?—I believe I did, for I was very active.

9199. *Committee.*]—Was there the same danger?—Yes.

9200. Was there as much disturbance in 1835; was that a service of riot and danger to stand against?—There was a good deal to stand against then, but nothing equal to the first election.

9201. Are you a coal dealer?—No.

9202. Are you a publican?—Yes.

9203. At that district committee, you said that there was a conversation about Mr. Barkley and about his voters?—Not about his voters, about his canvassing.

[The Witness withdrew.

Henry Hollins was called in; and Examined by Mr. *Wrangham*, as follows:

Henry Hollins.

9204. WHAT are you?—A perfumer and hair-dresser.

9205. Are you a voter for York?—Yes.

9206. Are you one of the 10*l.* householders?—Yes; I have a claim to the freedom, but I have never taken it up.

9207. Do you remember being at any dinner at the George Inn, on the second day of polling?—Yes.

9208. Were Mr. Bierpark and Mr. Williams there?—Yes.

9209. Where did Mr. Williams sit?—At the top of the table, near to the fire.

9210. Whom did you look upon as being the chairman of the meeting?—I should look upon Mr. Williams as the chairman, being at the top.

9211. Where did you sit?—I and Carter sat down together.

9212. Where?—There were about three or four between me and Short.

9213. Was Carter further off from Short, or nearer to him?—Further off.

9214. Do you remember Short coming in and taking some soup?—I do.

9215. Did you sit next to Carter during the evening?—Yes, the whole of the evening.

9216. Did Carter ever say in your hearing, that Mr. Barkley had the greatest number of best and unbiassed votes?—No.

9217. Was anything of that kind said?—No.

9218. From your position with reference to Carter, could he have said so without your hearing it?—No, it is quite impossible.

9219. Then I am to understand you, that neither publicly nor privately was anything of that kind said?—No.

9220. Did Carter say anything to you about drinking Mr. Barkley's health?—Yes, he did.

9221. Did he address himself to you or to the company?—To me.

9222. In what tone of voice?—In a low tone of voice.

9223. What did he say?—He asked me whether I had any objection to drink the health of Mr. Barkley; and I asked him in what way, whether he meant as a private individual; and I said, certainly not in that way; and I drank the health of Mr. Barkley.

9224. Did he tell you as a private individual, or a public person?—As a private individual.

9225. Did anybody join in drinking that health?—No.

9226. Nor any other person's health?—No, I do not think that they could.

9227. Did he say anything about prostrate foe?—No.

9228. Did he make a speech in drinking the health?—No.

9229. Have you told us all that passed with reference to drinking Mr. Barkley's health?—I have, every word.

9230. You say that Carter did not say anything about the greatest number of unbiassed votes being given to Barkley?—No, he did not.

9231. Then I need not ask you whether anybody assented to that proposition?—No.

9232. Do you believe from the opinions of yourself and those about you, that they would have assented to that?—No, decidedly not.

9233. Do

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9233. Do you think that such a declaration would have been quietly received?—No, it would not.

9234. Had Mr. Barkley's conduct been the subject of conversation at this dinner?—I heard Mr. Short name the conduct of Mr. Barkley.

9235. Did he name it so that the party heard it?—Yes.

9236. What did he say?—He was speaking of the manner in which Mr. Barkley had used them, that he had used them very rudely, not becoming a gentleman.

9237. Did you hear anything about a challenge?—I think I did, but I will not speak positively.

9238. Did you see Mr. Walton at dinner?—Yes.

9239. Where did he sit?—Against Mr. Williams, opposite to him.

9240. And Carter sat next to you during the evening?—He did.

9241. Do you remember who sat on Carter's other hand?—I do not.

9242. Certainly not Walton?—Not Walton.

9243. Was Mr. Lowther's health drunk?—Yes.

9244. With three times three?—I believe it was, or four times four.

9245. Did Carter, or anybody else, make any protest about drinking his health?—No.

9246. Did Carter swallow the toast like the rest?—Oh, yes.

9247. Were you a good deal about the town in the course of the election?—I was, more especially during the polling.

9248. Did you see any great drunkenness at the election?—I do not remember ever seeing less drunkenness than there was at the last election.

9249. Do you remember any particular case of drunkenness?—I remember one on the night of the last polling-day.

9250. Where was that?—It was at a house, one of Mr. Lowther's committee-rooms; there was a flag out.

9251. Where was that?—At the bottom of St. Andrew's-gate, or rather in Aldwark, and that flag was attacked and taken down.

9252. By whom?—I do not know the names of the men, but they belonged to Mr. Barkley's party, one of them having a card in his hat.

9253. Were they sober or drunk?—Drunk.

9254. Was it a white card?—Yes.

9255. Then the only case of drunkenness that you saw was a case of drunkenness on the part of Mr. Barkley's friends?—Yes; I might see other people drunk, but not notice what party they belonged to.

9256. Were there many people together at this time, when the flag was pulled down?—There were seven or eight.

Cross-examined by Mr. Hill.

9257. Were you a member of Mr. Lowther's district committee?—I was.

9258. When did you become a member?—I went on the morning of the first polling day.

9259. Had you been assisting Mr. Lowther before that?—No, I had not.

9260. Were you conservative in your opinions?—I was.

9261. And perhaps had been for some years?—Ever since I can recollect.

9262. Did you visit Mr. Barkley's committee-room?—I did, without knowing that it was his committee-room when I went in.

9263. Did you see Mr. Barkley there?—I did.

9264. Did you go there more than once?—I did not.

9265. Were you never along with Mr. Barkley's friends in any room more than once?—No, I was not.

9266. But once you went and found Mr. Barkley there?—I went for the purpose of hearing Mr. Barkley's speech, and I went up stairs, and there was great clapping up stairs, and the room door was open and I went in not knowing it was his committee-room, otherwise I should not have gone in.

9267. How long did you stay there?—I stayed there till Mr. Barkley turned me out in 10 minutes.

9268. Did the people in the room point you out to Mr. Barkley?—Yes.

9269. What did he say to you?—He came and asked me for my vote, and I said I would not promise him.

9270. Did you not tell him you would consider it?—No; I told him that I would not promise him, neither to him nor to any other person.

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9271. Did you not tell him, "Why, sir, I will consider of it"?—I do not recollect having said so.

9272. You are to recollect that you are speaking as if you were upon your oath?—I will.

9273. You have told me that you cannot recollect; it was an extraordinary transaction for you to be turned out of a room; did you not say to Mr. Barkley when he asked you for your vote, "I will consider of it"?—I do not recollect.

9274. Will you say you did not say so?—I will not be positive, but I cannot recollect.

9275. Then you may have said so?—I may have said so, but I cannot recollect.

9276. If you had been a conservative for so many years, is it possible that you could have said so?—No, I do not think that I did.

9277. Cannot you be sure, as an honest man, that you did not say so?—I cannot recollect; I may have said so.

9278. And you then got turned out of the room?—Yes.

9279. Did you not consider that ill-usage?—I did; but I did not know that it was the committee-room.

9280. Did you tell him that?—I did.

9281. Whom?—I cannot say; when I got down stairs, I told them that.

9282. I am talking of what you did in this room?—I said that I did not know it was a committee-room in that room, but to whom I do not know.

9283. Are you a 10*l.* householder?—I am.

9284. Had you any letter with two sovereigns in?—Yes, I had one.

9285. Have you got it with you?—No.

9286. What have you done with it?—I destroyed it; it came unexpectedly; I had no idea that I should receive it.

9287. When was it you were upon Mr. Lowther's committee?—It was on the morning of the first polling day.

9288. What did you do?—I went up with different voters to assist in getting them up to the poll.

9289. Your labour began on the first day of polling?—Yes.

9290. And ended on the second day of polling?—Yes.

9291. You had two sovereigns?—I had.

9292. What did you suppose they were for?—I could not imagine what they were for.

9293. Did you suppose that they had anything to do with the election?—I could not tell.

9294. Probably it did not strike your mind that they had any connexion with the election?—I could not tell what they were.

9295. Did you not think it was a mistake?—I could not think anything about it.

9296. There was a stop put upon your thoughts; in your wildest imagination, you never supposed they came from Mr. Lowther?—I had no reason for thinking so.

9297. I am asking you whether you did or did not suppose so?—I did not.

9298. Nor from Mr. Lowther's friends?—No.

9299. In fact, you did not suppose that they had anything to do with the election?—I did not.

9300. Perhaps you are of that opinion now?—That I cannot say.

9301. What is your opinion?—They might have had something to do with the election.

9302. Do you think they had?—I do not know what to think of that.

9303. You can form no notion?—No.

9304. Was everybody else in the same state of mind?—I never asked them.

9305. Perhaps you never heard these called Lowther letters?—Several times.

9306. And Blue letters?—And Blue letters, I think.

9307. Were they generally called so throughout the city?—I was not throughout the city to hear it; several people spoke of it.

9308. Did you ever hear them called Orange letters, or Mr. Dundas's letters, or Mr. Barkley's letters?—No.

9309. Nobody ventured upon that supposition?—No.

9310. Were you set down?—No.

9311. Did anybody come to tell you what to do; you say that you went on the first

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first day of polling to get up voters; did you work under anybody's directions?—No; I went in the morning, and went out to get up voters as my own discretion directed.

9312. Did you see any person with a list, directing the messengers where to go?—No, I did not.

9313. Did you ever hear of such a person?—No.

9314. So every man did that which was right in his own eyes about getting up voters?—I answer for myself.

9315. Probably you never expected to be paid at all?—No.

9316. Did you give a receipt for the letter?—I signed a paper at the post-office.

9317. Where do you live?—Minster-gate.

9318. How came you to sign a receipt at the post-office?—The postman said that he had been at my shop with a letter on Good Friday, when I was out, and if I went to the post-office I should find it; and I did so, and signed my name.

9319. Were you a plumper?—Yes.

9320. And you found two sovereigns in that letter?—Yes.

9321. Do you also know that other persons found two sovereigns in the letters?—No person ever told me of having received one.

9322. Was it not notorious in the city that the letters for plumpers had two sovereigns in, and the split voters' letters had one?—I never heard of any one with one sovereign in.

Re-examined by Mr. Wrangham.

9323. You told my learned friend that you had formed no notion as to where those letters had come from; had you any means of forming a notion?—None whatever.

9324. There was no writing in the letter you got?—No.

9325. You had no guide as to whom it came from, or whom to return it to?—No, I could not return it; I did not know where to take it.

9326. You say that you had no expectation of it; was there any promise or understanding of any kind at the time you promised your vote to Mr. Lowther, or subsequently, that you should receive anything?—None whatever.

9327. You went on the first day of polling to join the district committee?—Yes.

9328. Then the committee dispersed about the town?—Yes, it was pointed out in the district committee what portion each person should go to.

9329. And you took the portion pointed out to you?—Yes.

9330. So that you were acting under the orders of the district committee?—I was.

9331. You strayed upon one occasion into Mr. Barkley's committee-room?—Yes.

9332. Was that with a view of hearing Mr. Barkley make a speech?—Yes.

9333. He made very long and eloquent speeches?—I never heard him but once, and that was at the nomination.

9334. Was that eloquent?—I cannot say that it was.

9335. Was it long?—Yes, it was.

9336. Are you aware that the inhabitants of the good city of York were very curious to hear Mr. Barkley speak?—Yes, they were very anxious to hear him speak.

9337. Whether that arose from his eloquence or not you cannot tell?—I cannot tell.

9338. Mr. Barkley asked you for your vote when he found you in their committee-room?—Yes.

9339. And you declined?—I told him that I would not promise it.

9340. And then did he turn you out of the room?—Yes.

9341. In a polite manner?—Not exactly in a polite manner; he told me if I went in again he might kick me down stairs.

9342. He did not tell you that he would unkennel you, did he?—No.

9343. *Committee.*]—Did you vote in 1832?—No.

9344. Did you never vote before at any election?—No.

9345. Do you state that previously to receiving those two sovereigns in the letter you had not the slightest expectation of being paid for your vote?—Not the least; no expectation whatever.

9346. Then were you very much astonished at receiving this letter?—Yes, my

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shop was shut up when the postman came, and he told me to go to the post-office, and I went and got it.

9347. Had you been informed at the same time that there were letters for other persons too?—No.

9348. Then you thought that this letter was not one of a number, but a single letter?—I had no reason for thinking so.

9349. Were you not very much astonished at receiving a letter with two sovereigns in it?—I was.

9350. You have formed no belief as to the quarter from which it came?—No.

9351. Did it occur to you that it might have been a mistake?—No, it was directed to me.

9352. Have you heard that voters gave their votes expecting to be paid?—No, it is not the case with every voter; I did not myself.

9353. But you have heard the reports?—I have, but not from any person expecting it.

9354. If you had been told at the time of giving your vote that any person would give you two sovereigns afterwards, would you feel repugnance at it?—Yes.

9355. You would conceive yourself insulted by it, if it is a reward after your giving your vote?—No, I do not.

9356. Would you give your vote for two sovereigns?—No.

9357. You are of Conservative principles?—Yes.

9358. Suppose a candidate, not known in York, of Whig and Radical principles, were to ask you for your vote, and hold out an expectation of five or ten sovereigns, would you give it to him?—No.

9359. You have no reason for knowing from what quarter those sovereigns came?—No.

9360. Did you take much trouble to find out?—Not at all.

9361. You would not take much trouble if they came again?—No.

[The Witness withdrew.

Mr. *Charles Pashley* was called in, and Examined by Mr. *Wrangham*, as follows:

Mr. C. Pashley.

9362. WHERE do you reside?—At Selby.

9363. Where did you reside at the time of the last election for York?—In York.

9364. Were you employed in taking down the names of any messengers?—No.

9365. Did you take down the names of any messengers?—Yes, I did.

9366. Who were the messengers employed in the behalf of Mr. Dundas?—

9367. How many persons were taken down on the behalf of Mr. Dundas?—I cannot say.

Mr. *Hill* suggested whether this evidence, tending in fact to support the allegations of the petition, could be brought forward by those appearing against the petition.

Mr. *Wrangham* contended that the evidence was admissible.

The *Chairman* stated that the Commitee were of opinion that the evidence was admissible.

9368. Can you tell us about the number of messengers employed to assist Mr. Dundas on his canvass; you were employed in Mr. Dundas's committee-room?—I was clerk to Mr. Dundas's agent.

9369. You say that the canvassing messengers were about 60 or 70?—Yes.

9370. In the course of the election, were other messengers employed for other purposes?—Yes.

9371. When did that employment begin?—The four days of the election.

9372. Can you tell us, from any means of knowledge that you have, what is the number of those so employed?—I should think about 400.

9373. Taking your attention back again to the first batch of 60 or 70, when were they paid, do you know?—Soon after the election.

9374. Do you recollect what the amount was that was paid to each?—One pound fifteen shillings.

9375. I take it for granted that they were voters for Mr. Dundas?—Yes.

9376. Were they divided into different lists for the purpose of payment?—Yes, they were.

9377. Did you take the lists to anybody for the purpose of payment?—Yes.

9378. Did

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9378. Did you take one to a person of the name of Slater, in Walm-gate?—Yes.

9379. Did you take with you any money to pay them?—I took a cheque for the amount.

9380. Did you take another cheque to Mr. Alderman Simpson?—Yes, I did.

9381. Did you leave a list with him?—I left the list with him, but not the cheque.

9382. Why?—Because he said, on looking over the list, he found that there were some in the list that had been on the canvass, and he would add them, and get the money afterwards of Mr. Wood.

9383. Did you tell Mr. Wood what he told you?—Yes, and delivered the cheque to him.

9384. To whom did you take the other lists?—I took the other lists to Mr. Sheriff Meek and Mr. Sheriff Hanson.

9385. Do you recollect whether you took cheques to them?—I took one to Mr. Hanson, but as to the other I do not remember.

9386. You say that there were nearly 400 messengers employed subsequently to this?—Those between 60 and 70 composed part of the 400.

9387. But there were up to 400 employed?—Yes.

9388. When did their employment begin?—The four days during the election.

9389. Where did you begin to take their names or set them down?—At the tavern.

9390. That was Mr. Dundas's committee-room, was it?—It was.

9391. Do you remember Mr. Sheriff Hanson coming back from the canvass soon after they started; do you remember Monday, the first day's canvass?—Yes.

9392. Did not Mr. Dundas set out, accompanied by the committee, to canvass?—Yes.

9393. Who was left in the committee-room?—No one but myself, and another clerk of Mr. Wood.

9394. A few minutes afterwards did Mr. Hanson return to the committee?—Yes, he did.

9395. Did anybody come with him?—Yes.

9396. Who; how many?—About a dozen men that he had brought, to have their names set down.

9397. Did he say anything to them about their leaving their work; were they set down?—I set them down; he said that they were men who wished to support Mr. Dundas; he told them that they need not leave their work; if he wanted them he would send for them.

9398. Did this system of taking down names in the committee-room continue there, or was it moved to some other place?—It was moved to Lockwood's.

9399. Where is Lockwood's?—It is a hotel in the Pavement.

9400. Why was that done?—Mr. Dundas changed his committee-room the same day.

9401. And therefore it was that the change took place as to the taking names down?—Just so.

9402. In what room were those names taken down?—It was in a smaller room adjoining the committee-room, just before you come to the committee-room that is down stairs; and the committee-room is up stairs.

9403. Do you remember the formation of ward committees?—Yes.

9404. Do you remember the names of any persons being sent after the election to the general commiteee-room, as the messengers employed for the different wards?—There was one list from the Mickle-gate; the others I do not know.

9405. How numerous was that from Mickle-gate?—About 80.

9406. Who sent it?—I do not know who it was who sent it; it was brought to me.

9407. Who was the chairman of that Mickle-gate-ward?—There were two chairmen, I believe; Mr. Alderman Simpson was occasionally in the chair, and Mr. Smithson.

9408. He is an attorney in York, is he not?—Yes.

9409. Was it signed by any one?—It was signed by Mr. Smithson, as the messenger employed by the Mickle-gate committee.

9410. After receiving those lists from the wards, did Mr. Wood make an entire list?—Yes, he did.

9411. Including all those, and including the first named 70, what was the number

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number of names contained in the whole list?—I should think, as I said before, that it was 400, or nearly so.

9412. You think it was not 500?—No, indeed, I am satisfied that it was not.

9413. You have never said that you thought it contained 500 names?—Not that I am aware of.

9414. Did you never give a statement to Mr. Henry Richardson of your evidence in writing?—Yes.

9415. Did you not afterwards correct it with your own hand?—Yes.

9416. If in that statement you should state that there are 500, would that assist your recollection?—No, not at all; I speak from recollection.

9417. If, some time ago, in giving in a statement, you have stated that you thought the list would contain 500, does that make you doubt what you have now stated?—No, it does not.

9418. How is your memory more accurate than it was some time ago?—I cannot say; perhaps it may be from thinking about it; if I said before that it was 500, I said wrong.

9419. You yourself are not a partizan of Mr. Lowther's?—No.

9420. You are of the other way of thinking, are you?—Yes.

9421. Do you remember Mr. Wood and Mr. Sheriff Hanson comparing that list when it was made?—I think they compared it.

9422. With what?—I think they compared it with the printed poll-book, and perhaps with the sheets; I do not know.

9423. Did you afterwards divide this list into four?—I did.

9424. For what purpose was this division of the list made by you?—I presume that it was for the purpose of paying them.

9425. When was it that that was done?—I should think at the latter end of February or the beginning of March; I think so.

9426. Was it after the 14 days were over from the meeting of Parliament, after the time for petitioning had gone by?—I think it was.

9427. You may possibly be aware that if a person is paid as a messenger or a runner, his vote is a bad vote?—Yes.

9428. That would be a reason for deferring the payment till after the 14 days?—It might be the reason.

9429. Do you remember the men being paid?—Yes; at least I remember the rumour, having heard that they were paid, for I never saw them paid.

9430. Do you remember hearing it from any person that had paid them?—No.

9431. A person of the name of Edward Stewart?—Yes, I beg your pardon, I did.

9432. Do you remember his calling with any lists at Mr. Wood's office?—Yes.

9433. How many were contained in each of those lists about?—I do not know.

9434. Were they pretty equally divided?—Pretty nearly.

9435. Then when Stewart called at Mr. Wood's office, did he bring one of the lists with him?—Yes.

9436. Was that a list you had made out?—Yes.

9437. Did Stewart tell Mr. Wood what he had been paying?—Yes.

9438. To what amount per man?—A sovereign per man.

9439. Did he say that there were some others besides those in the list that he had paid?—Yes, he said that there were some others that he had put to the list; and Mr. Wood told him that he had no right to pay them, that he must pay it out of his own pocket.

9440. He said he had paid them?—Yes.

9441. Would there be above 100 names in Stewart's list?—Yes, I think there would.

9442. You have said that the 70 messengers first named were paid 1 *l.* 15 *s.* a piece, shortly after the election?—Yes.

9443. And you have also stated that they were included in the list of 400?—Yes.

9444. Then they would receive a pound additional, as well as the 1 *l.* 15 *s.*?—Yes; they were employed seven days on the canvass, and four days during the election.

9445. You pay them at the rate of 5 *s.* a day?—Yes.

9446. Mr. Alderman Simpson, and Mr. Sheriff Meek, and Mr. Sheriff Hanson, and Mr. Slater, were members of Mr. Dundas's committee?—Yes.

9447. Who

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9447. Who proposed and seconded Mr. Dundas?—It was Mr. Sheriff Hanson and Mr. Alderman Simpson; it was one of the two.

9448. Do you remember a person of the name of Kyle being on the committee?—Yes.

9449. Do you remember whether those 70 messengers first mentioned, voted plumpers or single votes for Mr. Dundas?—Some of them split between Mr. Lowther and Mr. Dundas, others between Mr. Barkley and Mr. Dundas.

9450. Then others plumped for Mr. Dundas?—I do not know; there were some plumped Mr. Dundas, and one plumped Mr. Lowther.

9451. Did you pay the one that plumped Mr. Lowther?—No.

9452. Do you know whether Kyle paid any?—I have heard so, but I do not know of my own knowledge.

9453. From whom have you heard it?—I have heard it from himself and from other people.

9454. Did you hear from himself where he got the money?—I think I have heard him say from Mr. Wood.

9455. Then as far as you know, Mr. Dundas's messengers were about 400?—Yes.

9456. Seventy of those were employed for seven days previous to the rest?—During the canvass.

9457. So that there would be 70 employed for 11 days, and 330 for four days?—Yes.

9458. By whose direction was it that you set down those names for messengers?—Mr. Sheriff Hanson.

9459. And afterwards by whose directions was it that the books were opened for the purpose of taking down names?—I believe Mr. Hanson.

9460. And the money to pay them was sent from Mr. Wood?—Yes, for the 70.

9461. For the other 330, where did the money come from?—I do not know.

9462. Was it by Mr. Wood's direction that you made out the four lists, and delivered them to the different people?—No, I did not deliver them; I made them out and delivered them to him; the first four lists I delivered to particular people.

9463. But this person, Stewart, brought one of these last-mentioned lists?—Yes.

9464. He told Mr. Wood that he had paid them?—Yes.

9465. And Mr. Wood said, that any that he had paid beyond those in the list he must pay out of his own pocket?—Yes.

9466. Is it to your knowledge common for that number of persons to be employed about the various duties of an election?—I do not know; I was never employed except in one before.

9467. When was that?—In 1833.

9468. That was a mock election, when Mr. Lowther did not come, and there was a sort of lark got up by the freemen?—Yes, there were no messengers set down at that time.

9469. There was no *boná fide* opposition; the opposition was got up on the day of nomination?—Yes, it was.

9470. Therefore there would be no previous canvass, with an opponent in the field?—No.

9471. You said that Mr. Wood was the agent of Mr. Dundas?—Yes.

9472. He is an attorney at York?—Yes.

Cross-examined by Mr. Hill.

9473. Had you anything to do with the election in 1832?—No.

9474. Were you at York at that time?—Yes.

9475. Were there any messengers employed by Mr. Thomas Dundas at that time?—I believe there were very few.

9476. How many do you think?—The number that were prescribed by Act of Parliament.

9477. You told us that when you gave the list that you spoke of, he compared it with the poll-book?—Yes, Mr. Sheriff Hanson and Mr. Wood.

9478. They compared it with the poll-book?—Yes, or polling-sheet.

9479. To see that the messengers had all voted right?—Yes.

9480. Could there be any other reason for it?—Not that I am aware of.

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9481. To see that they had carried their votes, as good messengers, to the poll?—Indeed I do not understand the question.

9482. Is not the chief use of a messenger, at the York election, to carry his vote to the poll?—Some of them, not all.

9483. You are speaking of a body of men that Mr. Hanson said might remain at their work until they were sent for?—Yes.

9484. Do you know whether they were sent for?—No.

9485. Have you ever heard of their being sent for?—No.

9486. Do you think they were sent for?—I have no means of knowing.

9487. What were those 400 people doing, or any of them?—Several of them were employed at the district committees.

9488. As district committee-men?—No, as messengers; and several were employed at the booths, and several at the committee-room.

9489. Was any person employed to go round with a list to see that they were all at work?—Yes.

9490. The inquiry was not how much work the messengers had done, but whether they had voted rightly?—Yes.

9491. Do you know where those lists are now?—No; I should think Mr. Wood would have them.

9492. Was Mr. Wood the principal agent for Mr. Dundas?—Yes.

9493. Is he here?—I believe not, I have not seen him.

9494. Is Mr. Hanson here?—Yes.

9495. And Mr. Sheriff Meek?—I have not seen him here to-day; I saw him on Thursday.

9496. Mr. Alderman Simpson, is he here?—Yes.

9497. Is Mr. Slater here?—Yes.

9498. Do you know whether Mr. Barkley had any messengers set down?—If he had, they were very few.

9499. Did you ever hear of any body of messengers for Mr. Barkley?—I have heard of a few, but very few I should think, not above a dozen.

9500. Was it not notorious in the town that Mr. Barkley would not set down in that election?—It was.

9501. How long have you lived in York?—All my life.

9502. You know what setting down is?—Yes.

9503. I ask you if, in truth, setting down does not mean that the persons set down are to have money for their votes?—Of course it does, whether they are employed or not.

9504. That is the universal understanding of it at York, is it?—It is.

9505. I will ask you, as an honest man, do not you think that this system of 400 messengers, and 70 messengers, is a very corrupt system?—It is, it is infamous.

9506. Do you know whether Mr. Dundas adopted it in self-defence, from its having been adopted on the other side, or did he originate this, which you have very properly called an infamous system?—I should say that he did it for self-defence.

9507. Mr. Wood is a legal man, and was the principal agent of Mr. Dundas?—Yes.

9508. Has he permitted you, without regard to confidential communications between attorney and client, to say everything you know about this matter?—Yes.

9509. *Committee.*]—Supposing these 70 messengers, upon an examination of the poll-book, should prove not to have voted for Mr. Dundas, would they then receive the 1*l.* 15*s.* each?—No, certainly not.

9510. Supposing that they had not given any service whatever, but had been, upon that examination of the poll-book, proved to have polled, would they have received the 1*l.* 15*s.*?—I do not know for the 60 or 70; I think they would not have been paid.

9511. With respect to the 330, how would it have stood?—They would have got it.

9512. You state that the 70 received the sovereign with the 400, did those 60 or 70 render services for any other days, besides those seven days for which they were paid the 35*s.*?—They were employed four days during the election.

9513. Besides the seven days?—Yes.

9514. But of the remaining 330 no notice was taken whether they were employed

ployed or not?—I believe by Mr. Sheriff Meek notice was taken that he refused to pay some that he found had not done any work.

9515. This system of setting down appears to you to be a corrupt and infamous system?—Yes.

9516. Did that appear to you at the time you were engaged in it?—Yes, it did; I was acting as a clerk to an agent of Mr. Dundas's.

9517. And it then occurred to you that you were doing an infamous thing?—Yes; but then it was practised by the opposite party.

9518. You gave your vote for Mr. Dundas?—Yes.

9519. A gentleman capable of practising this system?—I chose the lesser evil.

9520. Had you not the option of not voting at all?—Yes.

9521. But you chose to vote for a person who was supporting an infamous system, of which infamy you were sensible?—Yes.

9522. You heard Sheriff Hanson state to those men that they need not leave their work, that he would call for them?—Yes.

9523. Did you consider that those persons were subject to Sheriff Hanson's call, if their services should be wanted in the course of the election?—Yes.

9524. If they had been called on, it would have occupied their time considerably?—Yes, it would.

9525. Was that the case with all the 400 persons that you have mentioned; were they all subject to be called on?—I should say that they were, if the committee called on them.

9526. Who summoned you to attend as a witness?—Mr. Richardson and Goole.

9527. You did not come to support the petition?—No.

9528. Were you set down?—No.

9529. You do not consider that when you describe the system as infamous, it necessarily attaches infamy to every individual who may incidentally be engaged in it?—No; it is practised by both parties.

9530. Did not you consider it your duty to give your vote at the last election?—Yes.

9531. And give it to the candidate you thought best of?—Yes.

Re-examined by Mr. Wrangham.

9532. You were so circumstanced, that if you gave a vote to candidates, you must vote for Mr. Dundas, as the lesser evil?—Yes.

9533. There was no other candidate?—None.

9534. Mr. Dundas was secure of his election; there was no chance of Mr. Barkley beating Mr. Dundas?—No, not of beating Mr. Dundas.

9535. What do you mean by saying that Mr. Dundas was driven by self-defence to set down names?—If the reform parties had not set down names the Tories might have brought in two men.

9536. But the setting down names only began two days before the election?—Yes, it did.

9537. You say two days before the polling?—No, nothing of the sort.

9538. You say that Mr. Dundas began two days before the polling days?—No, I said nothing of the sort; I was asked when they were employed, and I said during the four days of the election.

9539. And they were paid for the four days of the election?—Yes.

9540. Was it part of your morality to suppose that a man ought to be employed, and not to be paid?—No; they ought to be paid if they are employed.

9541. You say that those men were all at the bidding of Mr. Sheriff Hanson, were they to be paid for so enlisting in his service?—Yes, but then they were expected to vote for Mr. Dundas.

9542. Were they not expected to be called on?—Yes.

9543. Just as liable as a soldier in barracks to be called out into action?—Yes.

9544. Would you think it right not to pay soldiers if they are not called out?—No.

9545. Where is the infamy of the system?—But it is not for their services, but for their votes.

9546. That is the interpretation you put upon it?—Yes.

9547. You say several were employed in the district committee-rooms?—Yes.

9548. How many?—I cannot say.

 9549. There

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9549. There might be 200 or 300?—If they were there, I should say there were some too many.

9550. How many do you think would be enough?—I should say 60 or 70 an election might be carried on with.

9551. Do you mean 60 or 70 at a district committee?—No, altogether.

9552. How many went canvassing with Mr. Dundas?—Between 60 and 70.

9553. Those were *bonâ fide* employed?—Yes, but there was no occasion to have so many.

9554. Does not a candidate like to have a considerable number of people attending him on his canvass?—Yes, I should think he does.

9555. And if he takes 60 or 70 to do that, ought they not to be paid for that?—Yes, if they attend; if any of them had happened not to have voted for Mr. Dundas they would not have got paid, because one was struck out that had voted a plumper for Mr. Lowther.

9556. Had that man been employed?—He had not been there, his name had been set down, but he was not on the canvass.

9557. He did not work for his money?—No.

9558. Therefore they did not pay him?—No; even if he had worked he would not have been paid.

9559. Has it never occurred to you that the name of a man might be struck off the list because he did not attend?—No.

9560. But the fact was so?—Yes.

9561. Is it not a sufficient reason for not paying the man that he has not done that which he was to be paid for?—It is.

9562. You say that Mr. Sheriff Meek refused to pay some persons whom he had engaged?—Yes.

9563. And upon the ground of their not having given their services?—Yes.

9564. He did not refuse to pay them because they had not voted, but because they had not served?—Yes.

9565. Is not one of the uses of the messengers to spread themselves about the town to get voters up?—I think that is done by the committee.

9566. Would the committee be numerous enough?—Yes, quite sufficient.

9567. Would the members of the committee know the residences of the freemen as well as the messengers?—Perhaps they might not know them; but if they do not know the individual freemen, they are not fit to be on the committees.

9568. Do you suppose that the respectable gentlemen know where all the freemen live?—In his own parish they do.

9569. Do you?—No.

9570. You were employed on the committee?—Yes, but I was employed in the suburbs.

9571. Do not you think that messengers might be wanted as guides to direct the wealthier and more respectable members of the committee to those holes and corners where the voters might be found?—No, I think not; there is no occasion for them.

9572. Do you take upon yourself to say that the members of the committee know where the freemen reside?—Some of the members of the committee are not working men, but are placed on the committee as a compliment; but the workmen do, most of them.

9573. Would there be enough of them to spread themselves about the town, and to search into those holes and corners?—Yes.

9574. There would be messengers at the booths?—Yes.

9575. What was their employment?—To take the list, as the freemen voted, to the district committee.

9576. Would they not be assisting in making way for the voters to come up in their own interest?—No, constables would do that.

9577. Constables are voters, are not they?—No.

9578. Never?—They were not on Mr. Dundas's part on the last election.

9579. Do you mean to say that constables never are voters?—Yes, they are; but they were not at the last electon for Mr. Dundas.

9580. There were nealy 200 constables, besides messengers?—Yes.

9581. Did it never occur to you, that Mr. Dundas would not have employed 200 men who were not freemen, if he had had a great reserve of freemen who were not employed; can you explain that?—No, he employed the non-freemen for constables.

9582. Does it not seem to you that he would hardly have employed 200 men, non-freemen, if he had always a great reserve of freemen not engaged?—They were set down evidently to gain their votes in the first instance, though they might have been called if wanted. Mr. C. *Pashley.* 31 August 1835.

9583. You say it has been customary to employ freemen as constables?—I believe it has been; I have never been engaged in any election.

9584. Mr. Dundas employed non-freemen as constables?—Yes, Mr. Dundas himself would have nothing at all to do with it.

9585. Had those non-freemen relations who were freemen?—Not all of them; there were a great number of men, stone-masons, working at the Castle.

9586. Mr. Dundas was obliged to have recourse to foreign aid for his constables?—No.

9587. He got people not voters in the place?—Yes.

9588. Those stone-masons are not inhabitants in the place?—No.

9589. Did you ever hear that Mr. Lowther found it necessary to employ people from the surrounding villages?—Not in the last election; it was said in 1832 that he did so.

Mercurii, 2° die Septembris, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Charles Pashley, again called in; and Examined by Mr. *Wrangham*, as follows:

9590. ARE you well acquainted with Mr. Short's hand-writing?—Yes. *Charles Pashley.* 2 September 1835.

9591. Have you had frequent opportunities of seeing him write, and seeing his writing?—I have.

9592. Are you acquainted therefore thoroughly with the character of his hand-writing?—Yes.

9593. Look at that—[*the letter being shown to the Witness*], and having looked at that, do you think that that is his hand-writing?—I do not.

9594. Have you a certain belief upon that point?—Yes, I have.

9595. Do you know whose it is like?—No.

9596. You are quite certain it is not his?—Quite certain.

9597. Have you stated that fact to the agents on the other side?—Yes.

9598. Mr. *Hill.*]—When did you state it?—I should think a week ago.

9599. To whom?—Mr. Leman.

9600. Had you seen it before?—Yes, Mr. Leman showed it to me before.

9601. Do you remember what has been called the attack upon the Punch Bowl, in the election of 1832?—Yes.

9602. Were you present?—I was.

9603. Then having been present, can you tell the Committee how it began?—It was said that the district committee were bribing the voters.

9604. The committee meeting at this Punch Bowl?—Yes, and a number of persons wanted to get them out.

9605. To get out the persons who were supposed to be bribing?—Yes, and they were refused admittance, and there was a brick thrown out of the window.

9606. Did you see it?—Yes.

9607. Thrown out of the upper window?—Yes.

9608. Who was it that threw it?—A servant girl.

9609. Did she throw it at the crowd?—She threw it into the crowd.

9610. Was that the committee-room window?—I do not know; it was an upper window.

9611. Did that exasperate the people?—Yes.

9612. Did you see the attack made?—I did.

9613. You saw the window-shutter in the form of a battering-ram, that has been spoken of?—Yes.

9614. Perhaps you can explain what the window-shutter in the form of a battering-ram is?—He used it as a battering-ram in that way.

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9615. Did you see Mr. Leman at that time?—I did.

9616. Did he take any part in this riot?—No, he did not.

9617. What was he doing?—He was talking to some persons opposite.

9618. And not engaged in the riot?—Not at all.

9619. Now we are upon the subject of riots; was there any riotous conduct in 1835, in the last election?—I was engaged in the committee-room, where I had not an opportunity of seeing it.

9620. Had you any opportunity of feeling it?—Yes, I was knocked down one night when I was shaking hands with Mr. Bent, a member of Mr. Dundas's committee.

9621. Was that a Blue mob, or an Orange mob, that knocked you down?—A Blue mob.

9622. What, the peaceable, ill-used, long-suffering Blues knocked you down?—Yes; there were several very respectable people among them.

9623. What do you mean by respectable persons in York?—Persons of good property, and living in a higher sphere.

9624. Perhaps you can tell us the names of the persons that knocked you down?—I saw Mr. Bulmer, the land-surveyor.

9625. Is he one of Mr. Lowther's committee?—He was a partisan of his. I do not know whether he was on the committee; and I saw Mr. Agan, the son, not the old gentleman, but the young gentleman.

9626. What is he?—A gentleman.

9627. Of independent fortune?—Yes.

9628. Were there any others?—There were several others that I do not remember.

9629. Mr. *Wrangham.*]—Then Mr. Agan knocked you down?—No; I do not know who it was; a person came across the road to assist me and was knocked down, and his wife came to assist him and was struck.

9630. Mr. Agan is not a York man?—No.

9631. He was connected with York as having married Miss Swan, the banker's daughter?—Yes.

9632. Mr. Swan is of the Orange party?—Yes.

9633. You say that Mr. Leman took no part in this?—He did not.

9634. Did you never hear that he did take a part?—Yes.

9635. Was he not praised by his own party for taking that gallant part?—I never heard him praised; there was a song written.

9636. Did you ever hear such a piece of poetry as this?

> A band of brave heroes, true and strong,
> With Towser and L—m—n to lead them on,
> Soon made these corruption's minions learn,
> That nought would they gain by bribing.
> Their castle was storm'd without delay,
> The battering-ram made desperate play,
> While Maggy's brave men all ran away,
> Beating a retreat from bribery.

Did you ever hear that?—I saw it afterwards; I never heard it sung.

9637. Headed, "Bribery and Corruption, to the tune of the King of the Cannibal Islands?"—Yes.

9638. This was sung by the partisans of Petre?—I never heard it sung, but they were distributed about York.

9639. Who is Towser?—Mr. Edward Ellis.

9640. Did you ever hear that they claimed the honour of true heroes?—I do not know that Mr. Leman did; Mr. Ellis did, for he led them on

9641. There was such a song as that sung about at the time?—I do not know whether it was sung or not, it was distributed about York.

9642. Is not Mr. Wightman, the printer, of the Orange party?—Yes, he is one of them.

9643. In Peter-gate, York?—He used to live in Peter-gate.

9644. This was a sort of manifesto, that came out as a gazette at this storming of the Punch Bowl?—I do not know.

9645. It was distributed at the time?—Yes.

9646. Did the battering-ram begin to play directly the brick came out?—Yes.

9647. Was

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9647. Was it supposed that there was any large corps of amazons defending the castle?—There seemed to be many constables within.

9648. Were they in petticoats?—No.

9649. This attack was made to capture the lady who threw the brick?—No, the voters, if any, were in.

9650. They committed a burglary to satisfy their curiosity?—Yes.

9651. Mr. *Hill.*]—Burglary at day time?—Yes.

9652. Were there fire-arms?—No.

9653. Did you ever hear it suggested that there were fire-arms till you heard of Mr. Richardson's evidence?—No.

[The Witness withdrew.

John Kyle, called in; and Examined by Mr. *Wrangham*, as follows:

John Kyle.

9654. ARE you a voter for the city of York?—Yes.

9655. Whom did you vote for at the last election?—For Mr. John Dundas and Mr. Barkley.

9656. Did you do anything else for Mr. Dundas besides voting?—I canvassed with him.

9657. Did you pay any money for him?—I did, for messengers.

9658. Have you received notice to produce the list of those you have paid?—No, I have not received any notice.

9659. Has not the attorney told you; is it not in your summons?—Yes, it is.

9660. Have you it?—Yes.—[*The Witness produced the same.*]

9661. Who told you to pay them?—Mr. Wood.

9662. Mr. Dundas's agent?—Yes.

9663. Did he give you the list?—Yes.

9664. Do you know what the number of them is upon your list?—About 90; I paid 90 *l.*

9665. What do these marks mean here, D. B. L.?—I do not know; that is what they gave me.

9666. Does not D. mean Dundas, B. Barkley, and L. Lowther?—I should say it was.

9667. You paid by this, did you?—Yes.

9668. Where did you pay?—I went round and paid part, and part in my own shop.

9669. What are you?—I am a merchant.

9670. General merchant?—Yes.

9671. What was the sum you paid to each person?—I paid a sovereign.

9672. A sovereign to each?—Yes, not to all.

9673. What did you pay to others?—I paid two sovereigns for eight days services.

9674. Was one of them a person of the name of Handley, a labourer in Heslington?—No, he was four days, and I paid him one sovereign, and he came to get the other, and I told him it could not be allowed, he being four days.

9675. Was it Lawrence?—Lawrence got two.

9676. What was the other man?—You will find it in the list; I think he is a saddler, but I have forgotten his name.

9677. Thomas Handley is mentioned two?—He is a herdsman at Heslington, and he got only four days.

9678. Look at the list, and tell me where the other is that got two?—There are two, whether it is on the list or not.

9679. Does that mark that follows Lawrence's name, intimate that he voted a plumper for Mr. Dundas?—I do not know.

9680. Have you any doubt upon it?—I do not know whether he voted a plumper or not.

9681. Do not you know what these columns mean, D. B. and L.?—I see what they are put down for.

9682. Is there any mark against Lawrence's name except D.?—No.

9683. Can you find the other man in the list?—No, I cannot, but I paid two.

9684. Was it James Bailey?—No; he was a saddler that I paid the other to.

9685. Was it Robert Harworth the saddler?—I think that may be.

9686. Did you pay him for eight days' service?—Yes.

9687. Have

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9687. Have you any reason to believe that he was not employed eight days?—No.

9688. Do you believe that he was, or was not?—He was.

9689. Did he vote a plumper?—I do not know; I was merely directed to pay that money.

9690. All the rest appeared to be splits between Dundas and Barkley, or Dundas and Lowther?—Yes.

[*The List was delivered in.*]

9691. Thomas Handley, you say, of Heslington, the herdsman, applied for a second sovereign?—He did.

9692. It appears that he had voted a plumper for Dundas?—Yes; and I asked him if he had been eight days, and he said no; and I refused to give him the other sovereign, and he has not got it yet.

9693. What ward was this list for?—For Walm-gate.

9694. Who was the chairman of that ward?—There was Mr. Slater the chairman, and I was the chairman under him.

9695. You were deputy chairman?—Yes, we were both as one.

9696. Were you doing his business in paying those men at his request?—He came to me on Friday, and he said that it was a day with him very busy, and he wished I would take this list and pay them. Mr. Wood came along with him.

9697. When was this?—It was on the Friday.

9698. There have been a great many Fridays since the election?—There have been; I do not know which.

9699. In what month?—I do not know.

9700. Was it February or March?—I do not know; it is within the last year.

9701. How long after the election was it?—Probably two or three months, I cannot say.

Cross-examined by Mr. Hill.

9702. Was it before the sovereign letters came out?—Yes, it was.

9703. Is there any person in this list who gave no vote at all for Mr. Dundas?—I think not.

9704. When you paid those persons, did you ascertain whether they had been actually employed or not?—They were employed the whole on that list, as far as I know about it, for messengers.

9705. How do you ascertain that?—By Mr. Wood and Mr. Slater.

9706. From Mr. Wood and Mr. Slater have you heard that all those persons were actually employed?—Yes.

9707. Really employed?—Yes.

9708. You know the difference between being called messenger and really acting as messenger?—I believe the whole of them were put down when it was necessary to employ them; they were called out.

9709. Then one or two were really employed for eight days, and the other for four days?—Yes.

9710. When you say employed, do you mean to say employed by Mr. Dundas's committee, and for him?—Yes.

9711. Mr. Barkley had nothing to do with this, had he?—No.

9712. I see here are Hunter & Son marked as giving two plumpers for Mr. Dundas; do you know those persons?—Yes, they are not paid anything; they came to me and wished to be paid, and I put them on that list, and they did not get paid anything.

9713. How much did they ask?—I believe it is on that list, *2 l.*

9714. Those two entries at the bottom, what do they mean?—They applied to me, and I put them down on that list.

9715. It does not mean that they gave two plumpers?—I do not know that.

9716. That is not the meaning of it; you put it down?—No; I will explain; the two Hunters applied to me for a sovereign each, and I told them that they were not down on the list, and they wished to be down, then I put them down.

9717. And you wrote that "Two" opposite to their names?—Yes.

9718. And you meant that for *2 l.*?—Yes.

9719. Did you write Burke's?—Yes.

9720. Did you mean that for *1 l.*?—Yes.

9721. Did

9721. Did you write out the other part of the list?—I did not.

9722. Then, in the other parts of the list, when I see a "One" under a D., does that mean that the person gave one vote for Dundas, according to your understanding of the list?—I cannot say; I know nothing about the list.

9723. That person who asked for a second sovereign, did he ever get it?—No.

9724. The ground of the refusal was, that he had worked only four days?—He told me himself that he had worked only four days, and I refused giving it him on that ground.

9725. Handley received 1 *l.*, and applied for a second?—Yes, he came to me three or four times.

Re-examined by Mr. Wrangham.

9726. You are a merchant, you say?—Yes.

9727. Do you deal in gin among other things?—Yes.

9728. A dram-shop?—No.

9729. I do not mean in any offensive sense, but a place where people come and drink?—No.

9730. Is it in the wholesale line?—Yes.

9731. It is not a public-house?—No.

Examined by the Committee.

9732. Was this list given to you by Mr. Wood?—It was given to me by Mr. Wood and Mr. Slater.

9733. Who is Mr. Slater?—A fellmonger, living in Walm-gate.

9734. He was chairman of the committee of which you were deputy?—Yes.

9735. It was given to you ready made out; did you make out any list yourself?—No, I did not; it was given to me to pay; Mr. Slater objected to pay it on account of being employed that day; he was going to take in many skins that day, and he wished that I would pay the money for him.

9736. Did he give you directions how much was to be paid to every one?—I got the cheque; the directions are on the list.

9737. What do you mean by the direction is on the list?—About paying each man that was employed.

9738. Did he tell you how much you were to pay each man?—No, he did not.

9739. How did you judge how much you were to pay each man?—By the list.

9740. How did you understand the figure that is placed opposite the names?—To be four days.

9741. How did you know what sum was to be paid to each of those names included in the list?—I had no other thing but that to go by; it was given to me on Friday, about 10 o'clock, and I paid the men accordingly.

9742. Did you ask the men how many days they had served?—I did.

9743. The list contains so many names; by what rule were you guided in finding what sum was to be paid to those men?—Four days each.

9744. You were told to pay each of those for four days?—Yes.

9745. And at what rate were you told to pay them?—Five shillings a day.

9746. Those were the directions you received from Mr. Slater and Mr. Wood?—Yes, to pay 5 *s.* a day to each messenger.

9747. Was there any person in the list whom you were directed to pay at a greater rate than four days?—I paid one for eight days; and I was directed to inquire into three cases, and I inquired, and paid them for four days.

9748. Is it of your knowledge that they were employed for four days?—No; I took the list as they gave it me.

9749. You took the list, and were told that those persons had been employed for four days?—Yes.

9750. Do you of your own knowledge know that those men rendered any service?—Yes, Lawrence in particular; they were called out every day.

9751. Do you know that?—Yes, most of them.

9752. What services were they employed in rendering?—Getting men up to poll.

9753. How could they be wanted to get men up to vote for four days, and still

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still more for eight days?—I do not know; they had different employments, I suppose.

9754. What four days was it that they were employed?—I cannot say.

9755. Do you remember that you have just said that you knew that they were all employed?—No, not the whole of them.

9756. Did you not say that you knew that the whole were called out?—No, most of them.

9757. How do you know that?—By being in the district committee-room.

9758. What did you see?—I saw most of the men doing duty, and getting the men up to vote and canvassing about.

9759. What days were those, were they before the election?—No.

9760. After the election?—Both before the election and after the election.

9761. What were they getting men up to vote after the election for?—No, not after the election.

9762. You heard of persons being set down who had not been employed to get up the voters?—No.

9763. Had you never heard of persons being set down who did nothing for their hire?—Yes, I have heard of that.

9764. You understand the practice of setting down?—No, I do not.

9765. Were those men set down before the election in Mr. Dundas's committee-room?—I cannot say.

9766. Were you present in Mr. Dundas's committee-room, and did you take an active part on his committee?—In canvassing I did.

9767. Was there any person to your knowledge employed in setting down for him?—Yes, I believe there was.

9768. Before the election?—No; in the time of the election, I think.

9769. The question refers to before the election?—No, I think not; I do not know of any one; there might be.

9770. Did you see any person employed in taking down lists in the committee-room?—No, I did not.

9771. When those 90 men applied to you, did they say anything about voting?—No.

9772. Did you ask them whether they had voted?—No.

9773. Did you ask them whether they had given a single vote?—No, I did not; I asked them how many days they had been messengers.

9774. For whom?—For Dundas.

9775. Do you know whether they were all voters?—I do not.

9776. You said that Handley, although he applied for a second sovereign, did not receive it?—He did not.

9777. Mr. *Wrangham.*]—That is, not from you?—No.

9778. Whether he received it from somebody else you cannot say?—No.

9779. *Committee.*]—He did not receive it, so far as you know, from anybody else?—No; I believe he applied to me three or four times, and I refused him each time.

9780. Do you know whether he ever got it?—I believe not.

9781. How many messengers do you believe it is necessary for a candidate to have?—I cannot say.

9782. You think that it is necessary for him to have some?—Yes.

9783. Do you think that it is necessary for him to have 500?—I cannot say.

9784. After what voters do those messengers go; those 400 messengers, were they all poor messengers?—There were not 400 in Walm-gate ward.

9785. In York there were?—There might be, but I do not know that.

9786. They were the poorer class?—Yes.

9787. Did they run after the more opulent voters?—No.

9788. After whom did they go?—They went to get men up to vote.

9789. Mr. *Wrangham.*]—They were a sort of hounds to catch them?—I can not say.

9790. You would not pay the hunters?—No.

9791. *Committee.*]—Do you recollect the sovereign letters being sent round in York?—Yes.

9792. Were you in York when that happened?—Yes.

9793. Do you know any individuals who received those letters?—Not in particular; I have heard of their being received.

9794. Did you ever hear from any person who had received them that he had

had received them?—I have heard it named, but I have never spoken to any one that has received it. *John Kyle.*

9795. Has ever any person that has received one of those letters mentioned the fact in your presence?—Not any. 2 September 1835.

9796. Mr. *Wrangham.*]—Did you ever canvass Peter Longthorn, the bricklayer?—I do not know that ever I did.

9797. Did you ever ask him for his vote for Dundas?—I might.

9798. Have you?—I think not.

9799. Did you ever tell him that he would get a sovereign if he voted for Dundas?—No, I think I never did.

9800. Can you take upon yourself to say that you did not?—I think not; I might have asked him as I have asked many more.

9801. Do you mean that you have asked him to vote for Mr. Dundas and get a sovereign for it?—No.

9802. Just try whether you cannot recollect about having canvassed Longthorn?— I do not recollect.

9803. Do you recollect James Lawrence coming up when you were talking to somebody?—No, I do not.

9804. Do you recollect anything that passed at the election?—I have told you already what I recollect.

9805. You have told us nothing but what is written upon the paper?—I think I have.

9806. Do you remember going with Lawrence to the White Swan?—No, I do not.

9807. *Committee.*]—Were you ever empowered to say to anybody what the counsel mentioned, that if they voted for Dundas they would receive one sovereign?—Never.

9808. But it was the practice in canvassing to say so to the parties?—No, I do not recollect that.

9809. Have you taken a part in elections before?—Never.

9810. That was the first time?—Yes; I canvassed before.

9811. And acted for candidates before?—Yes.

9812. Did the voters ask you, when you canvassed them, whether they should be employed for four days?—No.

9813. Did you tell them?—I had no occasion.

9814. How did they know that they were to be employed for four days? I cannot say.

9815. Did you never say to any voter, that if he voted for Dundas he would receive a sovereign?—No, I did not.

9816. Who told them that they were to be employed for four days?—When they were set down, I believe.

9817. Is it not singular, if you knew that you never said it, that you should say, in answer to the former question, that you do not recollect?—Yes.

9818. Did you not tell the Committee that you might have done it?—Yes.

9819. The voters knew you, generally speaking?—Yes, I should say so.

9820. You stated that you were a dealer in spirits?—Yes.

9821. Was there a particularly large consumption of spirits at the last York election?—I think not.

9822. Was there a great deal of drunkenness at that time, as compared with former elections?—I should say not.

[The Witness withdrew.

Alderman *John Simpson*, called in; and Examined by Mr. *Wrangham*, as follows:

9823. YOU are an Alderman of York?—I am. Alderman *John Simpson.*

9824. Did you propose Mr. Dundas at the last election?—I did.

9825. For whom did you vote?—For Mr. Dundas, and Mr. Barkley.

9826. I will ask you one question about the corporation; you are pretty well aware of the party to which your brother aldermen belong?—Tolerably.

9827. Are the majority of them Whig?—I should say that the majority of them are Whig and Liberal; there are three or four Tories, three Tories among the aldermen.

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9828. Of these three, only one voted at the last election?—I am not aware how the aldermen voted.

9829. Mr. Alderman Barber?—I am not aware whether he voted.

9830. Alderman Oldfield cannot vote, he is the postmaster?—Yes.

9831. He is a Conservative?—I should say that he is.

9832. Is the third, Alderman Dales?—Yes.

9833. Did he vote for Dundas and Lowther?—I believe he did, but I have not consulted the poll-book.

9834. Were the names of voters taken down to act as messengers at the last election for Mr. Dundas?—After it was known that Mr. Lowther's friends were taking names down, Mr. Dundas's friends, as matter of necessity, took down some names; and on application, there were many applications to myself, it was said, "If you get your names set down, provided you are wanted, you will be sent for."

9835. Was there a considerable number of names so taken down?—There was.

9836. You are better acquainted with what was done at Mickle-gate ward, than at the other wards?—Yes; but as deputy-chairman of Mr. Dundas's committee, I probably know what was done generally.

9837. Taking the Mickle-gate ward, was there any list made out?—I believe there was, but I had no list.

9838. Do you know in whose custody that list was?—I believe the list was sent after the election to me, and I delivered that list up to Mr. Calvert, or to Mr. Edward Stewart, I am not certain which.

9839. Who is Mr. Calvert?—He is a neighbour of mine, and keeps a public-house.

9840. Is he a shoemaker too?—Yes.

9841. Can you give us a tolerably fair notion what the number of messengers set down for Mickle-gate was?—I think, to the best of my belief, 94 were upon that list; and what makes me know is, that I gave the money to pay those messengers to Mr. Calvert or to Mr. Stewart, but I think probably Mr. Stewart; and after that, there were I believe eight other names added.

9842. That makes 104?—Yes, about that; I will say from 94 to 108; I will not go beyond 108.

9843. How long was each of those messengers employed?—For four days; the day of nomination, the two days of the election, and the chairing.

9844. Of the 102 that you speak of, were a considerable number employed extra time during the canvassing?—I think during the canvassing, it was in the winter time, the canvass was very long, seven days; they commenced on the Tuesday morning, and did not finish till the Tuesday following; I think in Mickle-gate ward, from 20 to 24.

9845. Were those in addition to those 102, or part of them?—They were part of the 102.

9846. Were they paid for those seven days?—Yes.

9847. In addition to these four?—Yes; they were paid some time previously to the polling day, and those services were more valuable than of those men for the four days.

9848. They were *bonâ fide* employed?—To the best of my knowledge; I paid them myself; and the reason why I paid them is, that I knew Mickle-gate ward perfectly well; and I had those men during the canvass with me, in a great measure when I was with Mr. Dundas, which was pretty constant; some of those that were in Mickle-gate ward canvassed with Mr. Dundas in other wards; some of them were doorkeepers, and to run errands.

9849. And carry messages and so on?—Yes, some of them were with staves; and York is an old town, up different alleys, and they had to search for out-voters.

9850. With reference to the list of 102, were they employed or held liable to be employed at any time that their services were wanted?—I believe that the whole of them would be more or less employed. In consequence of Mr. Lowther having set down an extraordinary number of men, it was necessary for us to guard our own safety; and to succeed in our election, to have men to be constantly looking after the poorer order of freemen, to prevent their being led away.

9851. To keep a watch upon them?—Yes, and highly necessary it was.

9852. Were

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9852. Were the services of that number, or nearly that number, required for the election?—They would not have been required had our opponents not employed the number of men that they did.

9853. Then your opponents having employed men to canvass those voters and look about, you were obliged to employ others on the other side?—As long as the constituency of York remains as it is, I think where one party employs runners, the other is of necessity compelled to employ something similar.

9854. Does the necessity arise from the increased activity of the other party, which renders it necessary for you to counteract it?—You are assuming that it is necessary for the whole number to be employed. In 1832, when Mr. Thomas Dundas was thrown out, I believe the whole expenses of Mickle-gate ward was *35 l.*, where they had neither band of music nor runners; and in going up to poll they make way for us; and the people said, that we were more like going to a funeral than going to an election.

9855. They liked to hear music?—Yes, it adds to the expense, but it probably adds to the excitement.

9856. I have not yet had an answer to my question, whether the necessity of setting down names of messengers on the part of Mr. Dundas, Mr. Lowther having begun to set down names on his side, arose from the activity of Mr. Lowther's friends, in consequence of this accession of numbers in the canvass in looking after the poorer voters, and endeavouring to seduce them from their colours?—I have no doubt; I admit that had Mr. Dundas not set down, many of those messengers would have gone over to Mr. Lowther, because they would have received them as messengers.

9857. Then those men were employed to look after themselves?—It was to keep them from being active members for the other party.

9858. Did you pay those voters?—I did not.

9859. You gave a cheque for them?—Yes; the reason that I did not pay them was, that I am chairman of the trustees of Newmarket-ward, and Mr. Richardson is the clerk; and I had to attend the meeting that morning, and I gave the list to Mr. Edward Calvert or Mr. Stewart, with orders not to pay any one but those on the list, and to ask them at the time that they were paid had they rendered any service; if they had paid any others, I should have known it from the numbers.

9860. Was Mr. Thomas Smith, shoemaker, of Mickle-gate-ward, one of your list?—I cannot undertake to say, not having the list of who were paid and who were not.

9861. Do you know whether Mr. Calvert has the list?—Mr. Calvert has told me this morning before Mr. Richardson that that list is destroyed.

9862. I will mention those which you will probably recollect; a person of the name of Charles Holmes, in Dove-street?—I cannot answer whether he was paid or not.

9863. £. 2. 15*s.*?—I think the presumption is that he might be paid, but I do not know of my own knowledge.

9864. Could you tell us more of those men that were longer with you for seven days?—I should say that the list of men for seven days, Mr. Wood would have. I gave him up the whole of the papers that were in my possession when I settled the accounts.

9865. Do you remember the name of George Greaves, combmaker, Mickle-gate?—Yes.

9866. William Land?—Yes; I can say he was most actively employed.

9867. Do you recollect the sum paid to him?—I do not, but I should say that he was paid for seven days.

9868. Was it 4 *l.* that he got?—I think not; he would not get that from me. I think he would get 1 *l.* 15 *s.* at the time, and 1 *l.* afterwards; but he was so very active, that I should say he deserved more than any other man that we had.

9869. Do you know a person of the name of Ketchisides?—Yes, I know a Ketchiside.

9870. A cordwainer?—I do not know what he is.

9871. He lives in North-street?—No, he does not now, but he did live in North-street.

9872. Do you think you can recollect whether he was one of those on your list?—

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list?—No, I think not. I think I objected to him being on my list, because he lived in Walm-gate ward. I think at the time he resided in Walm-gate, and was therefore employed in Walm-gate.

9873. Joseph Johnson, combmaker, in Walm-gate?—I do not know him.

9874. Francis Holmes, of Providence-place?—I think there are six or seven Holmes's, and I do not know the Christian names.

9875. Do you remember any Holmes being paid 4*l.*?—No, I do not. I know of no man being paid 4*l.*; if they obtained 4*l.*, I should say that they obtained it surreptitiously, by false representations.

9876. Were you chairman of the district committee in Mickle-gate?—Scarcely so. I should think Mr. Smithson was; he wished me to be chairman, but I said, having to attend the general committee so much, I could not be in two places at one time.

9877. Probably you would take a leading part wherever you were?—I did.

9878. Did Mr. Calvert act as your secretary?—No, Mr. Edward Calvert had nothing to do with us; in fact, to show that Mr. Calvert was not a committee man, his name was included in the list of 94; he was active, but he said that he gave his services gratuitously.

9879. Was he employed after you said that you gave the list to him?—I gave the list to him, or Mr. Stewart.

9880. *Committee.*]—Is he a shoemaker, Queen-street?—No, shoemaker, Mickle-gate. Edward Calvert, shoemaker, Queen-street, is a poor man.

9881. Mr. *Wrangham.*]—Do you remember Thomas Smith?—I do not.

9882. George Greaves?—I do not.

9883. George Walker, saddler, Mickle-gate?—I do not; had I the individuals before me, I should probably know them, but I do not recollect them.

9884. You cannot tell whether they were on your list?—I cannot.

9885. John Merrill?—I cannot recollect; it is probable he may have been.

9886. William Houghton, miller, in Farmer's-row?—I do not; I think there was Houghton, a constable, employed at the booths by the sheriff.

9887. Here there are three Holmes's; Thomas Holmes, Francis Holmes, and Joseph Holmes; were they on your list?—I should think that they were. I think that the Holmes's generally speaking were, and were very active men, being old friends of the Orange interest.

9888. John Gilbank?—I do not recollect him; he may have been.

9889. Do you remember John Snow, senior, bricklayer, and his son?—Yes, they were, both of them; I also remember how they voted, at least I know how the father voted; he voted a plumper for Mr. Dundas.

9890. Was he employed for four days?—Yes.

9891. *Committee.*]—How much was Snow paid?—£1.

9892. You are sure he was not paid more?—I am sure.

9893. Mr. *Wrangham.*]—Thomas Ketcher, a combmaker?—I do not know him; I give the same answer with respect to him.

9894. George Walker, a joiner?—I do not recollect him.

9895. Do you remember Robert Darling, a planemaker?—Yes.

9896. James Hepditch, do you remember him?—No.

9897. Do you remember Thomas Broklebank?—No; I know the name, if it is Thomas Broklebank.

9898. Did he receive 2*l.* 15*s.*?—I do not remember him being paid.

9899. Do you remember Thomas Calvert, bricklayer, Dale-street, namesake of the other Calvert?—No; I remember Edward Calvert, a namesake of Edward Calvert; I do not remember a Thomas Calvert.

9900. Was Edward Calvert in your list?—Yes.

9901. Was he paid?—Yes.

9902. Did you pay any of those yourself?—No.

9903. For the seven days?—There were 20 or 24 for the seven days; either I paid those or one of my clerks.

9904. Cannot you call to mind the names of parties that you paid yourself?—I cannot at this distance of time; there is Land, I perfectly remember, and I should say some of the Holmes's, either two or three of them; but that list I gave up to Mr. Wood at the time; if he has preserved it there are the whole of the names down.

9905. Do you recollect John Rickman, a shoemaker, in Trinity-lane?—I do not.

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9906. Do you know a house called Fairman's, in Mickle-gate?—Yes.

9907. Do you recollect any money being given to be spent there?—I recollect some orders or tickets being sent to be spent there.

9908. What was the amount of them?—None of them exceeded 10*s.*; I think Fairman's bill altogether, the bands were there, and some of the messengers got refreshment, was 1*l.* 15*s.* or 2*l.* 15*s.*, not more, which I paid myself, and Mr. Wood will give the receipt, I dare say, if those papers are not destroyed.

9909. Was it for drink during the canvass?—It was for refreshment for the band during the election.

9910. Did the band drink only 1*l.* 15*s.* during the whole of the election?—There might be others.

9911. Do you remember which way Fairman voted?—I do not.

9912. Do you know a person of the name of William Porter?—Yes, I do.

9913. Do you remember making any payment to him previous to his polling?—No; I made a payment to him after he polled; he is a man with a very large family; he was employed for the seven days as a messenger, and being off his usual work, I think I gave him 10*s.* for subsistence. When my father first went to York, this man drove his chariot, and he has been reduced in the world, and he applied to me; in fact we were schoolfellows together.

9914. Have you read these petitions?—I think I have.

9915. Were they ever offered, either or both of them, to you for signature?—One of them was.

9916. You did not sign it?—I signed neither.

9917. Can you tell the Committee your reason for declining to sign the petition?—The first petition I declined to sign.

9918. Why?—I do not know that it was ever presented to me.

9919. But you would not have signed it if it had been?—Had I not been so active for Mr. Dundas, I should have probably signed it; I wanted to see all corruption done away with; though I may have been an active partisan, I think it possible that the York elections may be conducted on a much less expensive scale than they have been.

9920. Am I to understand, that your having been engaged in elections, led you to decline to sign?—No; the election having just finished, and I having been employed in it, I declined to sign in consequence; I signed a petition two or three years ago having a similar tendency.

9921. It was never presented?—I think it was presented, but never acted upon.

9922. Am I to understand that you thought the petitions were too partial in their allegations?—No, I declined signing; the first petition I never saw till I came to London, or rather I saw it in one of the York papers, for my brother stands, I believe, the first name upon the first petition.

9923. Mr. Leonard Simpson is your brother?—Yes; therefore I was highly indignant at having read the evidence in this room, that that petition was not a respectable petition; for my belief is, that the names attached to the first petition are as respectable by birth and education, as the individual who gave utterance to the expression that it was not respectable; as for the accidental possession of riches, I mean.

9924. Who was the party?—I read it in Mr. Hudson's evidence.

9925. And Mr. Leonard Simpson was proposer of Mr. Barkley?—He was.

9926. Those messengers that were set down, should you have conceived that you had a right to call upon them at any time during the election for their services?—They were called upon.

9927. The whole 102?—I cannot say that the whole; but in the district committee-ward they were called upon for going round with the band, and going up with the voters to poll, and looking after voters; generally speaking, there was a greater number than was necessary, I am ready to admit.

9928. But in elections you would rather have too many than too few?—I would rather have none.

9929. But judging from what has been done, the preference was to the larger number than to the smaller number?—The other party had some, and it was necessary for safety for us to have some.

9930. Have you known many elections in York?—Since 1820.

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9931. Has it been the practice to engage messengers always?—Not in 1832; at least not on Mr. Dundas's part.

9932. Speaking generally of the conduct of elections in York, is it not the practice for both parties to engage a large number of messengers for the purposes of the election?—They have been engaged; they have had their names set down; they were not called messengers at one time; they were paid without any scruple, without rendering services; but within the last few years their services have been called for; they have been called to render some service.

9933. That is within the last few years?—Yes; setting down is very well understood; of course, after a man has procured his name to be set down, it is expected that he will poll for the party who sets his name down.

9934. It would be the same in the canvass-book?—I am sorry to say that is not the case; if it had been so, the result of the last election would have been different from what it is; Mr. Dundas would have been at the head of the poll. If those parties had kept to their promises when they were canvassed, Mr. Dundas would have been at the head of the poll.

9935. Persons who propose candidates, generally think that their candidate ought to be at the head of the poll?—I believe it is customary for the chairman and the confidential clerk to know the state of the canvass, and therefore I speak confidently when I say that Mr. Dundas had the greatest number of promises.

9936 Do you know how many Mr. Lowther had?—You may calculate, because the canvassers always put down each name, and if the man declines, if he says he is put down for the other candidate, if he is absent he is put down absent, and the canvass is very carefully gone over, and I believe the chairman and myself only knew the state of the canvass.

9937. But you could not know how many promises appeared on Mr. Lowther's canvass-book?—You know the number of voters; therefore, if you take the number of promises that you have, and afterwards find that you have not polled this number, on loooking at the poll-book you find who has deceived you.

9938. Is it not matter of notoriety that a per-centage is allowed on the promises?—So it may be, but the per-centage was much greater at the last election than it was ever previously. Mr. Dundas did not adopt the practice of setting down till some days after the other party had.

9939. Then Mr. Dundas did adopt the practice of setting down?—His friends did for him; I believe Mr. Dundas was not cognizant of it at all.

9940. What you did in the way of setting down was setting down the names of 100 people, all of whom were in your judgment more or less employed during the election?—The first setting down, I believe, was at the general committee; when their names were set down, they were told that if they were wanted they would be called for afterwards. The general committee was subdivided into district committees; and those men that were wanted were either sent for, or others made application to be set down in the district committees.

9941. What I mean is this, that the practice as pursued by Mr. Dundas or his party, is an illustration of what you mean by setting down?—Quite so.

9942. You would say that the practice was pursued by Mr. Lowther's friends rather than Mr. Lowther, as you carefully guard against Mr. Dundas having set down?—I believe Mr. Dundas was not asked the question; that we acted independently.

9943. Those things in the detail of elections are managed without the interference of the candidate?—The less the candidate has to do with the details of the election, the better he has confidence in his chairman.

9944. You said that the chairman and the confidential clerk were the only persons who knew the state of the canvass; how then did you know it?—I was deputy-chairman; I said, that I believe the chairman and the deputy-chairman only knew the state of the canvass, except Mr. Wood.

9945. Then the chairman and the deputy-chairman are the parties who arrange this respecting the taking of the names down?—No; I may state that I heard that that was to be the case, and I had many applications made to me.

9946. It cannot be done without the sanction of the chairman and deputy-chairman; if they had refused their permission, it could not take place?—If they

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they had positively stated they would not set down; but it was a negative consent.

9947. It must be with their consent?—I can answer for myself.

9948. Who was chairman?—Mr. Elsey, the present mayor; it was the first time that he was engaged in this, and therefore I assisted him.

Cross-examined by Mr. Hill.

9949. Do you remember the election after the Reform Bill in the end of 1832, when Mr. Thomas Dundas was thrown out?—Yes.

9950. Is that what is called in 1833?—No, in 1832 Mr. Dundas lost his election; in 1833, in consequence of the death of Mr. Bayntun, he was returned.

9951. In the election of 1832, the first after the Reform Act, was Mr. Thomas Dundas a candidate?—He was.

9952. Did he set down in that election?—No, he did not; he came on the principles of strict purity.

9953. Did he come on the same principles that Mr. Barkley came at this last election, as to purity?—Yes.

9954. When you say that Mr. Thomas Dundas did not set down, because he came upon principles of purity, do I understand you to mean that the whole system of setting down is in your opinion inconsistent with the purity of election?—Quite so.

9955. Do you remember that after that election of 1832, it was notorious in the town that plumpers for Mr. Lowther were paid 3 *l.*, and split votes were paid 1 *l.*?—It was; I do not know that but from general conversation.

9956. I am asking you if it was not notorious in the town?—I heard of it, and I suppose others did.

9957. In your opinion had that payment of 3 *l.* and 1 *l.* any effect upon Mr. Lowther's prospects?—I believe that Mr. Lowther's friends, generally speaking, would not at the time have denied that it was in the prospect of his coming again.

9958. Have you any doubt in your mind that that payment was for the purpose of obtaining the persons so paid to vote for Mr. Lowther at the next election which should follow?—My impression was to that effect; but I cannot answer for the motives of other parties.

9959. The election which immediately followed of 1833, I think we have heard Mr. Lowther took no part in?—No, he did not.

9960. Nor the higher class of his partisans?—At the day of nomination it was fully expected by Mr. Dundas's friends that there would be no opposition. After Mr. Dundas had been proposed in the Guildhall, a man got up, who afterwards proved to be a freeman, and proposed Mr. Lowther; that nomination was seconded by another freeman in the crowd; a show of hands was taken, and certainly the show of hands was very much in favour of Mr. Lowther; the party immediately ran out to the news-room, which is close adjoining to the Guildhall, and brought in Mr. George Hudson in triumph, with the greatest glee; it was thought that it was necessary that there should be some guarantee to the sheriff for the expenses of booths; but the Act of Parliament does not go so far as to authorize that.

9961. Were those two persons who had nominated Mr. Lowther, in the lower walks of life?—Quite so.

9962. Still, under all these disadvantages, he got the show of hands in his favour?—Yes, on the morning of the nomination there was a small band with some blue banners parading the streets, and certainly I, as one of Mr. Dundas's friends, thought that was a suspicious circumstance, and did not know what would be the consequence, for no one seemed to know who had employed that band, or what they were going about; it was well known that Mr. Lowther had declined standing.

9963. Perhaps those persons in the lower class of life were not at the bottom of that?—My impression is decidedly not; Mr. Dundas took little pains to get his friends together at the Hall, and the Hall was almost entirely filled with Mr. Lowther's friends.

9964. Whoever began it, the consequence was, that there was a contest, and that Mr. Lowther's popularity had very much increased since the last election?—He polled within 50 of the same number that he had previously; but at the same

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same time several of the most respectable of Mr. Lowther's adherents polled for Mr. Dundas, and would not be connected with those freemen.

9965. But his popularity, so far as you could judge from the show of hands, had very much increased?—Decidedly.

9966. Did Mr. Petre set down in 1832?—I believe he did.

9967. Do you know that Mr. Petre is unpopular at York, from the circumstance of his not having paid the persons that he set down?—Yes, I should say that he is.

9968. Do you think that any person who should set down, and whether he employed messengers or not, should afterwards omit to pay the persons that were set down, would be considered to have acted very dishonourably, supposing always that he had the means to pay?—If a man has promised to pay and does not pay, we of course, as men of business, should not have that confidence in him that we had previously.

9969. Do you consider that the business of setting down is holding out to voters who are set down an implied promise of payment?—Decidedly.

9970. And whether they are employed or not?—Decidedly, if they are set down.

9971. Are they set down for their services or for their votes?—Where you come to set down 500, or 600, or 400, or 300, their services cannot all be wanted, or I will candidly say 200.

9972. Then I understand you to say, that where the setting down is for more than 200, they are not set down for their services but for their votes?—Their services are not required.

9973. Can you imagine any other motive for setting them down, when their services are not required, but to secure their votes?—It is well understood.

9974. That it is so?—I think there is not any one in York but must understand it.

9975. And that it means that?—It means that they are to be paid for their votes.

9976. Is not this a wretched system?—I consider it so, and should be very happy to see it done away with.

9977. In the setting down which took place by Mr. Dundas's friends at the last election, was it a setting down altogether upon the old plan, or was it more confined and restricted to actual service than it had formerly been?—Certainly, it was setting down to a less extent than had been previously gone to; we wished to do with as few as possible; we did not like the system, but self-preservation caused us to act upon that system. We found that so many were set down by the opposite party, that men came to us and said, "If you do not set us down here, we can go elsewhere and get set down at Mr. Lowther's;" that was the expression.

9978. Did you or did you not understand that language to mean, if you do not undertake to pay us for our votes, we can get paid for our votes by Mr. Lowther?—That certainly was the understanding that I had.

9979. *Committee.*]—Was that an unqualified understanding that it was a payment for votes?—No, some services were to be performed; the answer given to them was, if you are set down and your services are required, we shall call for you; that was at the general committee-room where they were set down first, and that was divided into the district committees, and those men applied to the district committees for employment.

9980. Mr. *Hill.*]—Should you have valued their services at one rush if they had not had votes?—No, we should not have set them down.

9981. Is it not the lowest class of voters that come to be set down?—Decidedly so; at the election it is generally a time of excitement, and those are the lowest class of voters; if they attend at all to the business of the election they lose their work, and I believe it is their poverty.

9982. From the observation that you have been able to make by your acquaintance with elections, do not you think that there are many persons who at the moment are not able to resist the temptation of receiving money, who would still be very glad if the system was done away with?—I believe so; if the system was done away with, I conceive that you would not have that excitement, that men would stay at their work, but having once got their names set down, they are aware that they will be paid so much a day, and they therefore do not mind losing their time in the streets, or getting into public-houses; if there was no setting down, necessity would oblige them to remain at work.

9983. You have told us of a body of persons who were employed for seven days,

days, who were paid separately for those seven days; were they paid before the polling commenced?—No, immediately after, within 10 days after the polling commenced; it was after the polling commenced.

9984. Those persons who had worked seven days, were they paid for seven days, whether they polled plumpers or not?—I believe no question was asked; I can answer for those men that I paid myself, who were from 20 to 24, and I believe that those men were fully occupied the whole of their time, and they deserved it; no election whatever can be conducted without some.

9985. I will ask you this, whether services as they are so called are not, as regards the great body of persons set down, a mere blind, that both parties may have it to say that something was done for the money received?—Generally speaking, I think it is; there may be some few instances of services performed.

9986. Supposing the law allowed you to buy votes as it allows you to buy corn, would anything be heard of the services performed by the great number of persons set down?—I think not; in fact many of them are very shy of rendering any services at the time.

9987. But are they shy of receiving the money?—No.

9988. Without asking you anything more about what occurred at the last election, I will ask you if in general the voters who are set down have not been paid more when they voted plumpers than when they voted split votes?—I have understood that to be the case; I am not cognizant of the fact myself.

9989. That is the general understanding?—That has been the understanding; it was not the case with Mr. Dundas's men at the last election; we never asked them whether they polled plumpers or not.

9990. With regard to the last election; as far as you could ascertain, you paid men in proportion to the services they gave?—To a certain extent.

9991. And not in proportion to the votes that they gave?—No, we made no difference.

9992. Except this, that you did not pay anybody who voted against you?—In the list that was furnished to me, I should imagine not.

Re-examined by Mr. Wrangham.

9993. You say that, as far as you know, there was no difference between the payment to plumpers and split votes?—Not to my knowledge.

9994. You never heard of Lawrence and Herworth receiving 2 *l.* a piece?—I do not know the names; and I can say further, that I never heard their names that I recollect.

9995. If we have heard from another witness the fact, that those two men who had given plumpers for Mr. Dundas have received 2 *l.* from their being employed eight days instead of four, you are not aware of that?—No.

9996. Was Mr. Thomas Dundas popular in 1832, when he came on purity principles?—Not very much so, I think, at the time, in consequence of a vote he gave in the House of Commons for disfranchising the freemen.

9997. You remember that election?—I do.

9998. Do not you recollect that another of the candidates, Mr. Petre, put forward the fact of his having voted the other way, in favour of the freemen, as one great claim upon their votes in his address?—I think I remember that there was something of that, but I would not speak decidedly.

9999. Mr. Bayntun had also acted in the same way as Mr. Petre, and different from Mr. Dundas?—He voted different from Mr. Dundas.

10000. And those were the two men elected at that election?—Yes.

10001. In your judgment, would not that vote of Mr. Dundas's have a very injurious effect upon his election chances?—My own opinion is, that had Mr. Dundas followed the same practice that Mr. Bayntun and Mr. Petre did at that time, there would not have been the least doubt of his success.

10002. Did Mr. Petre set down?—I will not speak to that at this distance of time. I know that it was very notorious that Mr. Petre set down.

10003. Did Mr. Bayntun set down?—Certainly, I believe he did not set down; he was the most popular candidate that York had at that time.

10004. Did he not owe his success to his personal popularity?—Decidedly not; he owed his election to a feeling which existed in the body of freemen, that he had been very ill used by his previous committee; in fact, that

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that he had been ruined by them; that they had spent more money than he expected.

10005. Have you any doubt that he derived his success in 1832 from a feeling on the part of the freemen, and not from any hope of remuneration?—From a feeling of pity.

10006. Not from any hope of being paid?—No; they had been so well paid.

10007. You say it was notorious that he had been ruined?—Yes.

10008. They had been so well paid before, that they did not expect to be paid again?—That was a well-known fact, that he could not.

10009. Have you not told me you did not think that the fact of Mr. Dundas having voted in the way that he did with regard to the freemen, had an injurious effect upon his principles?—It had some effect, but not the effect that would have lost his election, if he had followed the same system as his brother candidates.

10010. That had some effect; what effect had it, good or bad?—Unfavourable, to a certain extent.

10011. Was there not a great excitement upon the subject of the freemen being disfranchised, the women coming out with their children?—Not so much as was talked of in Walm-gate; there was some little excitement of that kind.

10012. Mr. Barkley came upon the same principles, as far as not paying went, in 1835; was he an entire stranger at York when he came down there?—Yes, I believe so.

10013. Are you aware that anybody in York had ever heard of his name before?—I had heard of his name before; it was supposed in 1833 that Mr. Bayntun's party came up to London for Mr. Barkley.

10014. But, however, he had never been at York?—No.

10015. You had never seen him?—Not of my own knowledge, certainly not.

10016. You say that you should think that Mr. Lowther's motive in paying the 3*l.* and the 1*l.* after 1832, was in order to ensure the votes for the ensuing election?—That is my impression.

10017. Does that arise from the fact that you were paying 1*l.* a piece to the voters?—No; the 1*l.* that was paid was nothing towards the future election, but paid for the services performed.

10018. You have told us what you paid; was that for votes?—It would probably have that effect.

10019. Your votes were split votes?—I do not know that.

10020. Do not you know that almost all who voted for Mr. Dundas voted for Mr. Barkley?—I can name one person, John Snow; he polled a plumper for Mr. Dundas.

10021. But you cannot tell us what sum he got?—He got 1*l.*

10022. Were not the voters for Mr. Dundas chiefly among the old Whigs in York, who did not like Mr. Barkley, and were called the stupid old Whigs?—In the second day's polling there were a great many more plumpers given to Mr. Dundas than on the first day, in consequence of Mr. Barkley being so low that they would not be able to bring him up. Mr. Lowther had held out promises to the men for holding up their hands in the Castle-yard for Duncombe and Walker, and he got ahead considerably.

10023. I have not got an answer to my question, whether those persons who voted a plumper for Mr. Dundas were not of the old Whig party?—I am not able to answer that question; I believe that the generality of those who plumped for Mr. Dundas on the second day, had there been a good chance of Mr. Barkley succeeding, would have given him a second vote.

10024. Can you tell me, as you speak of what they would have done under particular circumstances, were they or were they not persons that would not have received money?—I should say they would not, because you generally get the lower class of people to poll on the first day.

10025. You say that this sovereign was not given with any view to a future election?—Not the slightest; it is what was customary to give in York elections; it never exceeded a sovereign, to my knowledge.

10026. Was it not more for a plumper?—Yes; I am speaking of my belief; I do not know that of my own knowledge.

10027. You tell us that that money was not paid with any view to the future election?—Not the slightest.

10028. Cannot

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10028. Cannot your charity extend far enough to put a favourable construction upon other peoples' motives?—So it would, if it was to the same amount.

10029. Supposing that letters had been sent to plumpers for Mr. Lowther, with two sovereigns each, which was the established practice, would you not say that as you paid one sovereign for a split vote, and that had no view to a future election, that this had no view to a future election?—The custom is to pay two sovereigns for a plumper; that was not at all the case with Mr. Dundas; in paying messengers we had no idea of whether they were plumpers; we made no difference, but they had so much for rendering services.

10030. If you paid 1 *l.* a piece to the split votes, and you declare that it was not with the least view to a future election, is it not equally possible that Mr. Lowther, supposing him equally to have paid the sum of 2 *l.* for his plumper votes, may have done it without the least respect to a future election?—I give my impression of Mr. Lowther's motives.

10031. Why is your impression unfavourable in his case?—Because the sum was larger.

10032. In the case of two sovereigns?—The custom has been to pay, where the men were set down, two sovereigns for plumpers, one for split votes.

10033. Is not the payment of the one just as innocent as the other?—I believe it is.

10034. Then if you had paid the one sum without the least reference to a future election, may not the other sum have been paid with as little reference to a future election?—It may have been.

10035. You say that Mr. Lowther's motive in paying in 1832 was with a view to a future election?—That is my impression.

10036. How do you reconcile that with the fact, that at the ensuing election Mr. Lowther did not become a candidate?—At that time, in 1833, Mr. Lowther certainly declined coming forward; I do not know his reasons for not coming forward at that time; I think it was expected that there would be a dissolution of Parliament very soon; to the best of my belief that was the reason; it was with great difficulty that we prevailed upon Mr. Dundas to come forward.

10037. There had been an election a few months before?—Yes.

10038. But, however, if the payment by Mr. Lowther's friends of the 3 *l.* and the 1 *l.* had been made with a view to secure the votes of the freemen in a future election, would it not have a greater effect when the payment was fresh in their recollection than at a remoter time?—I should imagine it would.

10039. And yet Mr. Lowther did not avail himself of it?—He did not come forward.

10040. He allowed Mr. Thomas Dundas to walk over the course, as far as he was concerned?—Yes, as far as he was concerned.

10041. You say that the setting down holds out an implied promise on the part of the person setting down to pay the voters?—That they should be paid, certainly.

10042. Does it not also hold out an implied promise on the part of the voter to give his services, if required, during the election?—At the time, certainly.

10043. You said, in answer to a question from my learned friend, that you do not think you should have set them down except they were voters?—No.

10044. How many constables were employed on the part of Mr. Dundas at the election of 1835?—I think there were 150, or thereabouts.

10045. Possibly there might be 200?—Possibly there might.

10046. Were they voters?—No, I think not; you would have some difficulty in getting men for 5 *s.* a day to carry flags.

10047. Did the constables carry flags?—They go under the name of constables, but they are not constables, they are not sworn in as constables.

10048. Those constables of Mr. Dundas's were no constables at all?—They were flagmen and bellmen; they go under the name of constables probably.

10049. Do you know the fact to be so?—They were called constables, but they were not sworn in as constables; they were not employed by the sheriff as constables.

10050. You are a magistrate of York?—I am, and at that time a very young one.

10051. You have told my learned friend that these men were really paid for their

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their votes; do you mean to abide by that, that you paid the men for their votes. This setting down, was it, or was it not, paying them for their votes?—In a great measure, it was.

10052. Did it never occur to you that there was something wretched in a magistrate of the city being engaged in a system of buying votes?—I said just now that it was in self-preservation. I conceive that the magistrates made themselves very busy in the election, both for one side and the other. At the time they were set down, I knew of their being set down; I did not set them down by myself, although I am ready to take all the odium that may attach to it; I was aware that they were set down.

10053. Did it never occur to you, as a magistrate, that there was something wretched in the system?—I have no hesitation in saying, that as a man I consider the system wretched.

10054. Did you not consider your own conduct as a magistrate in purchasing the votes of the men under your rule and control, wretched?—Although I deprecated the system, we found it necessary for our own prevervation and the success of our friend, to resort to the same means that they had themselves done on the other side.

10055. Did you not, or do you not, consider such conduct in a magistrate, in buying the votes of those placed under his own rule, wretched?—I consider it so; I have given that answer, that I consider the system wretched and bad.

10056. Does it not acquire an additional wretchedness when a magistrate is the person employed in it?—Perhaps it does.

10057. Have you declined to give any account to the agents on this side of your evidence?—I have; I had some conversation with Mr. James Richardson this morning; I was not aware of any evidence I was to give.

10058. When you were applied to for a statement of the evidence, you declined to give it?—I received a summons, signed by the Chairman of the Committee, and I declined giving any statement of my evidence whatever.

10059. You never communicated with the agent of the other side?—I never thought of it; I endeavoured to guard myself as much as possible from even thinking of what I might say.

10060. Do you consider the conduct pursued by Mr. Dundas's party at the last election as an example and instance of what you understand by "setting down?"—Decidedly so.

Examined by the Committee.

10061. You state that a considerable number of persons were employed for seven days during the canvassing; that many of those went about with the candidate; how many should you suppose usually accompanied the candidate?—I should say, probably 50.

10062. Were they necessary for his protection?—No; but some carry wands, and York is a place with many narrow alleys, where the runners will go up two or three pair of stairs to know if the voter is in, and those men are not employed during the whole time that the canvass lasts.

10063. Are there 50 employed?—Yes; some carrying inkstands, and so on.

10064. How many of the paid runners accompanied the candidate?—Of the paid runners, I should say 20; but there were others in the committee-room engaged as doorkeepers, and some engaged in distributing handbills. I should say 50 runners were competent to do the business of the election.

10065. You say there were about 400 employed four days during the election?—I consider 374.

10066. What was their employment on the day of nomination?—They went to hold up their hands for Mr. Dundas.

10067. They were paid *5 s.* for that service?—It took them off their work, and therefore they were paid.

10068. On the first day of the election, what do they do then?—They are not employed all the time; some few of them may be employed. I admit that the setting down is a wrong practice, and is a colourable pretext.

10069. Some, you say, accompany the voters to the poll; is that necessary for the protection of the voters?—Now that the town is divided, and the polling-booths are in different places in the town, there is not the necessity that there was when the voting was in one place; not that crowd.

10070. You stated, that the fourth day of this employment was the day of chairing;

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chairing; what is the service for which those 370 received the 5 *s.*?—Accompanying the candidate round the town in his chair, and the band of music.

10071. Do you recollect how long it was before the election that you yourself began the practice of setting down?—I think we commenced the canvass on the Tuesday morning. Mr. Dundas arrived on the Monday evening, and we commenced the canvass on the Tuesday morning. On the Monday evening there were many applications to be set down, which we declined, and on Tuesday; I think on Thursday and Friday the first setting down would be for Mr. Dundas.

10072. In the course of Tuesday and Wednesday you declined to set down those voters?—Yes, and lost those voters; we were told, in many instances, that they had forsaken us in consequence of our declining to set them down, and had gone and been set down by Mr. Lowther's friends.

10073. Were there any persons who applied to be set down who were not voters?—No, not to my knowledge.

10074. Was it in consequence of a formal resolution of the committee that a change of system was adopted, from declining to set down those who applied; was the matter taken into formal consideration?—I do not think it was at all; I think that part of the subject was left; it might have been discussed, but no resolution entered on the minutes of the committee; I do not remember any resolution to that effect.

10075. Then the change of system was admitted by certain members of the committee without any formal discussion?—Certainly there might have been a little discussion between individual members.

10076. It was adopted in consequence of a report that Mr. Lowther's friends had begun and were carrying on the practice of setting down?—Decidedly so; we lost many men that had promised us, in consequence; we were told by our friends that they had got set down by Mr. Lowther, and we therefore considered, as Mr. Dundas's agents, it safer to set down to a certain extent.

10077. Are you decidedly of opinion that unless Mr. Dundas's agents had resolved to set down, he would have had a chance of losing his election?—Decidedly.

10078. On what day did Mr. Lowther's friends commence setting down?—I think on Tuesday morning; it was on Tuesday that I heard of it, to the best of my belief.

10079. After you had commenced setting down, did you take the names of all who offered to you?—I am not aware how that was done at all.

10080. Would not that be the natural result of your resorting to setting down, as the means of counteracting the effect of Mr. Lowther having previously set down?—Yes.

10081. Then the restriction of the number of messengers to 374, on the part of Mr. Dundas, was the result of not being able to get more?—As I before stated, a greater number than that was set down at the general committee-room, but they were told if their services were required they would be called for; and afterwards, on the division of the general committee into district committees, parties made applications to the district committees; I am pretty certain that a greater number than that was set down at the general committee-room.

10082. Do you know any complaints of persons that were set down, and who were subsequently neither employed nor paid?—Yes, I do; many applied to me after I gave the list to Mr. Calvert, stating that they had been set down by the general committee.

10083. And they considered that it was an infraction of the agreement under which they supposed that they had their names set down?—Yes.

10084. Is it the election of 1835 that you are speaking of?—Yes.

10085. Do you think that Mr. Dundas might have lost his election in 1835 if he had not set down?—Yes.

10086. Whom do you think would have come in in his place?—Mr. Barkley.

10087. Those persons who go round with the candidate at the chairing, and attend him on the nomination-day, lose the whole of their day's employment?—Generally speaking they do, in a great measure.

10088. Would they be put to some expense in an idle day of that kind, in refreshment, as they pass along?—If they left their work, of course it would not be expected that the master should pay them, and they, knowing that they expected 5 *s.*, might spend rather more than they otherwise would.

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10089. And if they found a candidate who did not pay them, and did not set down their names for this purpose, perhaps they might consider that a sign of paltry conduct?—They would not consider that a popular candidate; for in 1832, when Mr. Dundas came on the purity system, they said it was more like going to a funeral than an election.

10090. Would they not consider better of the candidate who acted freely in this way?—The lower order of freemen would.

10091. They would think him more of a gentleman candidate?—Yes, I should say that that might be the feeling.

10092. That might account for their leaving the man that, in their opinion, was so paltry as not to put their names down?—I consider that their political feeling was not so strong as their poverty or their feeling for their families.

10093. He would be considered the greatest gentleman who paid them the best?—Not altogether, but I may speak partially.

10094. To some extent?—My impression is, that one sovereign would go further on one side than two on the other; that is an individual opinion.

10095. Which side is it that the one sovereign would go the furthest on?—I think on the Whig side.

10096. You think that the one sovereign on the Whig side would do as much as two for the Tory?—Yes.

10097. You do not then think that those men would sell their political principles for the sake of an additional sovereign?—I should be very sorry to impute any motives of that kind to any individual, however poor; and therefore I do not say that they would.

10098. Party spirit has run pretty high in York?—During the election we are very bitter, but I think after the election it never interrupts private friendship.

10099. Do you think that a gentleman of your station in York, who had labourers to employ, or smaller tradesmen, would expect that they should give a preference to your side at the election?—Probably during the election they might; but afterwards I should hope not.

10100. But you can conceive that during the election, and for some short time afterwards, when he was forward in espousing the party to which a gentleman at York belonged, he would consider that he had some claim upon them for their votes?—I do not think that it would be so; I should be very sorry to see that system acted on in York.

10101. Has it been to some extent?—It may.

10102. You have said that those men lose their time when they are employed by the candidates; do you think that they would lose their time if they were not set down to attend the candidates?—No.

10103. They are bound to leave their work to go about as body-guardsmen, and so on?—Yes.

10104. Has that a good effect on the freemen?—No.

10105. They become more dissolute after the election?—Yes.

10106. Do you think any person can be sure of his election at York without adopting that system of having runners and messengers?—I think if another party choose to act upon that system of employing messengers, he has a much greater chance than a person that does not.

10107. Do you think if two Tories were to come, and the liberal candidates were not to set down, and they were to set down, they would get in?—I can hardly answer that question; I think they would have a very great chance, if the others did not set down.

10108. You think that the voters would prefer the candidate who would give most?—Some few.

10109. What do you suppose the average earnings of that class of men who act as messengers, when employed in their ordinary avocations?—I should say from 12*s.* a week up to 24*s.*

10110. When was the payment made to those parties who were employed during the four days, the nomination, and the election, and the chairing, how long after the election?—About two months.

10111. Was it purposely delayed till the expiration of the period at which it might be considered likely to affect the election?—I think not; I am not aware that it was at all; the messengers that were employed for the canvassing were paid immediately after the election.

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10112. Why was the payment of the sovereign for the four days to men of that class of labourers delayed for two months?—I am not able to answer that; I should say that getting in the different accounts would take some time.

10113. What greater difficulty would there be in referring to the services of those men whom you paid two months after, than in getting in the accounts of those men whom you paid a little time after?—Because the number was so much less; and I believe it has not been usual to pay the men for the four days during the time of the election, till a certain time afterwards.

10114. Do you not think that that practice was resorted to, to avoid the petition against the sitting members?—I should think it might be so.

10115. You are not aware that the payment of the runners vitiates the runner's vote at all events?—I believe it does.

10116. Would that not be a ground for delaying the payment of those?—It might.

10117. In point of fact, those persons who were really and *bonâ fide* employed as messengers, were paid immediately after the election?—They were within a very short time.

10118. And those persons were to the number of 20?—From 20 to 24 in my ward. I may state that this being the largest ward, we had more in our ward, and the doorkeepers that were employed in the committee-room belonged to our ward; that was the reason that we had more.

10119. You state in your ward from 18 to 24 persons were engaged to do the real work, and were paid immediately after the election; what number were employed in the other wards?—I am not aware.

10120. According to your experience of the manner of conducting elections at York, supposing a candidate enters the town to engage in a contested election, and receives the promises of men of all ranks, from the highest to the lowest voter, would it not be natural that he should desire to be attended by those friends of his, both high and low?—No, it would not be expected that he should have the lower order of his voters.

10121. Do not you think that he would like to be attended by the upper classes in every public meeting, and by the voters of the lower class?—Certainly at the hustings he would like to have them there.

10122. Do not you think that on all public occasions in which he appeared in the city, he would like to have them with him?—No, not on his canvass; it would impede his canvass.

10123. Where he had to address the town?—I should say that a candidate feels more comfortable having a large audience than a small one.

10124. Knowing that they were his friends?—Yes.

10125. And would he not think that it was a mark of their earnestness in his cause?—Yes.

10126. Would it not give a greater confidence in his success, if he knew that they were attending upon him?—Yes.

10127. Would not his committee be desirous of it?—Yes.

10128. And be desirous of promoting such attendance upon all occasions?—Yes.

10129. And the success of the election would be likely to be promoted by that course of proceeding?—Yes.

10130. At the end of a period of that kind, do not you think that it would be a hardship that those persons should be left without remuneration for their employment?—I dislike the system so much, that I would rather that they staid at their work than attend a candidate under the impression of being paid.

10131. But you said that it would conduce to the success of the candidate's election?—I should wish to see no voter but what could afford to attend.

10132. The candidate would think himself obliged to those friends that did attend him, as conducing to the success of his election?—Decidedly.

10133. Do not you think that a candidate desiring this attendance, and seeing that he exposed those persons to loss of employment and of time, should give them some remuneration?—It is the custom in York, but I hope to see it done away with.

10134. Do not you think that a candidate who refused that remuneration, which seems so natural, would upon that ground stand more unpopular in York, amongst this class of voters, than another gentleman who agreed to pay them?—I do

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—I do not know how to answer that question; I believe Mr. Barkley had the greatest audience, generally speaking.

10135. Do not you think that the election ought to be considered more the cause of the people than that of the candidate?—Yes.

10136. You said that the practice of giving remuneration to those persons who do lose their time has the effect of drawing a great number of them to the election who might otherwise remain at their work?—The greatest concourse of people is after working hours, after six o'clock in the evening.

10137. But you have told the Committee that during working hours a great number of persons lose their time?—Some may.

10138. On the chairing?—On the chairing there are many; those are days of excitement.

10139. And the system of payment causes that attendance to be more numerous than it would otherwise be?—I stated that; we took the chairing-day as one of the days of service.

10140. It draws them from their work to engage in politics?—They are drawn from their work by the excitement that is in the town.

10141. Do they ever on any other day in the year get so much as *5s.* for such easy work as walking about with the candidate when he is being chaired?—I should think not.

10142. Do not you think that it gives to this class of men a greater degree of political knowledge in a day than they would acquire in a month kept at their own work?—As far as political knowledge goes, it does extend it.

10143. Do they learn something about vote by ballot, and so on, in more than they would learn by attendance in their own workshop?—I should think they do.

10144. It tends to the political education of the people?—It depends upon the subject that the candidates and their friends discuss before them.

10145. Is it not one of the principal opportunities that the voters in York have to become acquainted with political knowledge generally?—I do not know; I believe there is some political society; I am not connected with them in York.

10146. Therefore those elections would answer the purpose intended by those societies?—They might do so, they might have an effect.

10147. Do you think that anybody gets the information as a body-guardsman or runner, if he is not set down for it?—I do not think that he would have that knowledge; if it was not for the consequence that he would be paid he would not attend.

[The Witness withdrew.

John Palmer, again called in; and Examined by the Committee, as follows:

John Palmer.

10148. HAVE you any explanation now, after this further time of consideration, to give of your evidence, and of the difference between your evidence and that of the four persons who have said that they saw you give this parcel?—No; I have no explanation.

The committee-room was cleared.

After some time the Counsel and Parties were called in; and

John Palmer was again called in.

Chairman.]—You have stated to the Committee that you did not meet Walker at the Fox, and did not give into his hands a brown paper parcel. The Committee have heard three other witnesses in addition to Walker, who have stated that they saw you deliver it into his hands; and they believe those three witnesses, and do not believe what you have said. In the state of intoxication in which you were, the Committee conceive it possible that you may have forgotten what took place; but you further state that you have torn up the brown paper cover, and put out of the way the letter. This statement they do not believe. You were summoned to give evidence before this Committee, and the Committee consider that you have given false evidence: it might have been the duty of the Committee to report you to the House, in which case you would have been taken into the custody

custody of the serjeant-at-arms. If you had given correct evidence the country would have paid your expenses; but the country cannot pay you for giving no evidence, and still less for giving evidence which the Committee believe to be false, and therefore your expenses are disallowed: you may withdraw. *John Palmer.* 2 September 1835.

Edward Calvert, called in; and Examined by Mr. *Wrangham*, as follows: *Edward Calvert.*

10149. ARE you a voter at York?—Yes.

10150. Whom did you vote for at the last election?—Mr. Dundas and Mr. Barkley.

10151. Were you tolerably active in the support of those candidates?—Yes, I was a little active.

10152. You are a person of considerable activity when you do exert yourself?—Yes.

10153. You are a warm partisan of the Oranges at York?—Yes, I am; I am of warm principles.

10154. Were you employed by Mr. Alderman Simpson after the election, to pay some of the liberal voters?—No, I was not employed.

10155. Did he not give you a list?—No, he did not.

10156. Do you mean to say that you had no concern with paying them?—I do not say that I had no concern, I assisted in paying, but I did not receive any list from Mr. Alderman Simpson, nor yet was I employed by him.

10157. Whom did you assist in paying?—I assisted Mr. Edward Stewart.

10158. How many do you think you paid or assisted in paying?—I do not know; about 102 or 103; somewhere thereabouts.

10159. Have you got the list?—No.

10160. What has become of it?—It got amongst my loose papers, and got destroyed; I was looking for it when I received the summons.

10161. That is, you destroyed it?—No, I did not destroy it; it was placed among my loose papers, and got destroyed.

10162. Who destroyed it?—I cannot tell.

10163. Who has access to your loose papers?—It was in a drawer where I put paper for lighting candles; I had done with it, and thought it would not be wanted any more.

10164. This list has been used for lighting candles, or for household consumption?—I suppose it has; I cannot give any account of it.

10165. Will you tell us the names of any of those that you assisted in paying, that were down in that list?—I could mention some.

10166. Mention any that you can; you knew most of the parties very well?—No, I did not, for I was not in the room when they were all paid, I was merely assisting Mr. Edward Stewart at the time he had the list before him.

10167. Have you lived in Mickle-gate ward all your life?—Yes, in Mickle-gate ward, I have.

10168. Were they persons with whom you were acquainted?—Some of them.

10169. Principally?—Not all; I think that I should not know above half of them if the list was read over, but as it is, I cannot recollect who they were.

10170. Do you know Thomas Smith, a shoemaker, in Mickle-gate ward?—Yes.

10171. Was he one?—Yes.

10172. Was Charles Holmes, of Dove-street, another?—I am not certain.

10173. Was Francis Holmes, of Providence-place, one?—Yes.

10174. And Thomas Holmes and Joseph Holmes, combmakers?—Those received likewise.

10175. George Graves, was he one?—Yes.

10176. William Ketchisides?—I think he was.

10177. It is a name that is likely to attract attention?—Yes; but as I said before, I had not the list by me; I had nothing to do with it.

10178. You saw the list and read it?—I did not read all of it.

10179. Joseph Johnson, combmaker, in Mickle-gate?—I do not know the man.

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10180. George Walker, a saddler, in Mickle-gate?—Yes; I recollect Johnson now.

10181. John Merrill, shoemaker?—Yes.

10182. John Smith, a combmaker, in Mickle-gate?—Yes.

10183. William Houghton, a miller, in Tanner's-row?—Yes.

10184. Thomas Thackeray, you remember, a joiner?—Yes.

10185. Robert Forster, a shoemaker?—Yes.

10186. Thomas Richmond, a shoemaker?—I do not know him.

10187. Thomas Bridgewater?—I cannot recollect him.

10188. Thomas Bridgewater is in North-street?—I think I know him; I do not know whether he received or not.

10189. William Porter, in North-street?—I cannot call him to mind.

10190. Richard Woollett, a dyer, in North-street, was he one?—Yes.

10191. Amos Deltry, a combmaker?—Yes.

10192. Thomas Richardson, a combmaker?—Thomas Richardson I do not recollect at all.

10193. John Gillbank?—Yes.

10194. Was he one?—Yes.

10195. Thomas Fletcher?—I do not remember him.

10196. John Snow, senior, a bricklayer, in North-street, and John Snow, junior?—Yes, both.

10197. Thomas Fletcher that I asked about, lives in Providence-place; do you remember him?—No.

10198. George Walker, a joiner?—No, I do not remember him.

10199. Robert Darling, a planemaker?—I think I do remember him getting paid.

10200. Thomas Smith, a shoemaker?—You have asked me about him before; I told you.

10201. James Hepditch?—Yes.

10202. John Merrill?—You asked me that before.

10203. But I thought there might be two?—Not that I know of.

10204. Thomas Brocklebank, a combmaker, in Sloane-street?—I do not remember him.

10205. Thomas Carver, in Dale-street?—I do not recollect him being paid.

10206. Is he a relation of yours?—No.

10207. John Richmond, a shoemaker, in Trinity-lane?—Yes.

10208. Was he there; how much did he get?—He got the same as the rest; a sovereign for four days running.

10209. Can you tell us any other names?—I perhaps could recollect, but it does not strike me at present.

10210. But you had a very good notion of what you were called upon here to speak to?—Yes.

10211. Could you not refresh your recollection of the names?—If I had a poll-book, perhaps I could give the names.

10212. This is the register;—[*the same was handed to the Witness*]—could you state the names better if you were to withdraw and consider their names?—No, because I was not there all the time; I was not paying them, but assisting; I was not the principal.

10213. How did you assist?—They were asked the question by Mr. Stewart, had they served four days; and if they had, and were set down on this list, they received one sovereign, and I was there sometimes, and gave them the sovereign after they had answered the question.

10214. You say that this list is destroyed; you have searched for it, have you?—Yes.

10215. And you have not found it?—No.

10216. Did you find any part of it?—I found a corner, but it was of no use; it had been destroyed in pieces, as far as I could see of it.

10217. There were no names on it?—No, there were no names.

10218. Do you know the number of persons who were paid for Mr. Dundas?—No, not being principal on the committee I cannot say; I have heard between 300 and 400, but I cannot say.

10219. There

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10219. There were above 100 in this ward?—Yes.

10220. When was it that this payment took place?—I forget the time exactly.

10221. Can you tell the month in which it took place?—No.

10222. How long after the election?—I am sure I cannot say; I cannot call to mind at present.

10223. Do you remember the sovereign letters, as they are called, going round?—Yes.

10224. Was it before or after that?—Before that.

10225. How long before?—I cannot tell.

[The Witness withdrew.

Mr. *Henry Bellerby*, called in; and Examined by Mr. *Wrangham*, as follows:

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10226. ARE you a bookseller residing at York?—I am.

10227. And the publisher of the "Yorkshire Gazette," I believe?—I am.

10228. Have you taken an active part in the recent elections at York?—Yes.

10229. On the Blue side?—On the Tory side.

10230. Did you support, in 1830, Mr. Bayntun, when he first came?—Yes, I did.

10231. Did he come on Blue principles?—Yes; I understand by Blue, Tory principles.

10232. Did you support him in 1831?—No.

10233. Why did you withdraw from him your support in 1831?—I had one or two reasons for not supporting him in 1831.

10234. His public conduct?—Yes, in consequence of his public conduct chiefly.

10235. He had what is commonly called "ratted" in the interval between his election and re-election?—Yes, he had.

10236. In 1832 did you support him?—I did not; I ought perhaps to say that I did not give my opposition to Mr. Bayntun in 1831, and I promised not to oppose him, as it would be a short Parliament.

10237. In 1832 did you withdraw your support from him?—I did.

10238. Whom did you then support?—Mr. Lowther, with the utmost of my ability.

10239. During that election were the streets of the town in a remarkably quiet state?—No, they were quite otherwise.

10240. Was there a great violence on the part of the mob?—Yes; I do not remember that there was ever more violence than upon that occasion.

10241. Did you yourself ever suffer from that violence?—Not in my person, though I was frequenily in danger; I suffered in my property, not to much extent.

10242. In broken windows?—Yes, I had my windows broken.

10243. Could the leading friends of Mr. Lowther pass along the street without being assaulted and molested?—Certainly not.

10244. Do you remember being in the committee-room of Joy's, the Punch Bowl, on the night when it was attacked?—I do not remember it being attacked any night, but one day, I was there then.

10245. Was that during the election of 1832?—It was the second day of the polling.

10246. Was it attacked more than once?—No, not to my knowledge.

10247. Were you ever in the committee-room in Conyss-street when it was attacked?—Yes, twice.

10248. Was it necessary to use the assistance of persons attached to the committee, the supporters of Mr. Lowther, in order to defend the room?—At that time the messengers whom we had engaged in the room were totally inadequate to defend the house.

10249. Was it a service of danger for this insufficient body of men to take part in?—It was most certainly; as members of the committee, at that time all of us had to defend the entrance of the house.

10250. Do you remember an attack being made on Mr. Harwood?—Yes, I remember that very well.

10251. Were you in his company?—Yes, I was just come out of the committee-room.

 10252. Was

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10252. Was he very seriously injured?—Yes, and I know it more, because I believe Mr. Harwood was mistaken for myself.

10253. Are you aware whether he is still suffering from that injury?—He has told me since that he still wears a bandage.

10254. This was in 1832?—Yes; I called upon him the morning after he was attacked, and found him extremely ill.

10255. Do you remember any persons who were guilty of that assault?—I do not remember the names of the party, but Mr. Harwood had one individual up before the magistrates in consequence, and he was bound over to the sessions.

10256. Was he a person in the service of Mr. Thomas Backhouse?—Yes.

10257. Is Mr. Thomas Backhouse one of the petitioners?—I think I have heard so, though I do not recollect.

10258. Are you aware that at Mr. Hudson's house the windows were broken, and an attack was made there?—Yes, from report; I did not witness the attack.

10259. Did you hear the mob say what they would do on their return?—In proceeding to Mr. Hudson's they threatened to attack my house on their return; I got information given me immediately.

10260. Did you think it necessary to take any steps upon that?—Yes, I immediately called in the assistance of several of my friends, and we barricaded the house.

10261. Did they make an attack?—They made an attack upon the house, and I am not sure, I have a recollection, but I cannot swear it, they broke a window; I cannot swear it.

10262. They did not succeed in forcing an entrance to the house?—No.

10263. Was it a sort of attack which excited great alarm in the family?—Yes, my children and wife were considerably alarmed.

10264. Did the mob appear very furious?—They battered the door and shutters everywhere.

10265. Did you feel that you would have been in safety for your life if they had got possession of your person?—I do not believe that I should; that was my impression at the time.

10266. Did you find it necessary to confine yourself at home during the evening?—After that I did not go abroad till seven or eight o'clock in the evening.

10267. Was that from an apprehension of personal violence?—It was.

10268. You told us that you were present in the district committee-room at Joy's when it was attacked?—I was.

10269. Do you remember the circumstances of that attack with distinctness?—Yes, pretty distinctly; I shall never forget it as long as I live.

10270. Was it an attack which excited great alarm in the minds of those in the house?—Yes.

10271. What number of people were concerned in that attack?—I did not look out of the window immediately the attack was made; I was busy marking off some of the voters' names who had been polling.

10272. Was it upon the second day of election?—Yes.

10273. When you did look out, what number of people should you say were engaged in this riot?—I should say there would be 200 or 300 people present upon the spot; in fact the street was literally blocked up.

10274. Who appeared to be the leader?—Mr. Leman, decidedly.

10275. The secretary to the Society for the Promotion of Political Knowledge?—I do not know what he does there.

10276. Did he seem to be giving directions to the mob?—Yes.

10277. What did you see him do or say?—By his gesticulations, he was evidently urging the mob on to get into the house.

10278. Did you hear anything said?—I heard something to this effect, "Go it, lads!"

10279. That was from Mr. Leman, was it?—Yes.

10280. Do you remember anybody else who was very active?—Yes; there was a young man, a nephew of the chairman of Mr. Petre's committee.

10281. A son of Major Ellis?—No, a nephew of Major Ellis.

10282. He was a grandson of Alderman Ellis?—Yes.

10283. Where

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10283. Where were you at the time that you were looking upon this attack going on?—I was in the committee-room up-stairs, looking out of the window.

10284. Were the mob making a great noise?—Very great, and some member of the family came up into the committee-room (I cannot say who it was,) and begged for God's sake we would go down, for they were going to kill our men.

10285. Was that a female member of the family?—It was; I cannot be positive whether it was Mrs. Joy or a servant.

10286. Give an account of what you saw?—We then went down to the door; there were several of Mr. Lowther's district committee in the room, and they assisted our men in closing the door; the door was not then closed; the men were protecting the door with staves in their hands; they succeeded in closing the door, and we barricaded the door, expecting that all was safe; we came back.

10287. What followed upon that?—Shortly after the tumult was increasing, we looked out of the window, and they were then in the act of beating the door open.

10288. What instrument did they make use of?—The window shutter.

10289. Did you see Mr. Leman at that time?—I cannot be positive; the tumult was so great upon the door that I cannot say.

10290. Did you or any other gentleman of the committee go down to expostulate?—We went down again, I do not know to expostulate; we were very much alarmed for our safety.

10291. Was any attempt made to reason with the men?—The men at the door reasoned with them; they insisted upon it that bribery and all manner of corruption was going on.

10292. Was any offer made to let a man go in?—Mr. Harwood said that he had offered to let one of the men come in.

10293. Did he tell you that he had been present at the time that it was made?—No.

10294. Was the door closed with ease or with difficulty?—With very great difficulty.

10295. Was there a struggle?—Yes.

10296. Did the violence of the mob continue to increase?—It continued to increase till we made the best of our way to a place of safety.

10297. In fact, were the gentlemen of the committee obliged to take flight?—Yes; I was concealed in the house for several hours, and I heard the mob in the house afterwards, or some part of them.

10298. But they succeeded in breaking into the house?—Yes.

10299. What is your belief, at that time, if you had been detected in your hiding-place, as to personal consequences?—I should have been very seriously injured, or lost my life, the mob was so infuriated; I was alarmed for my life, and so were the other members of the committee.

10300. Mr. Anderson paid for the amount of damage done?—I was told so.

10301. Mr. Leman was at that time Mr. Anderson's clerk?—Yes, I understood him to be so.

10302. Did Mr. Lowther remain in York after that, or what became of him?—Mr. Harwood, I believe, went from the committee-room in search of Mr. Lowther, we became so alarmed not only for ourselves but for Mr. Lowther's safety. Mr. Harwood went to seek him, as chairman of the committee, to recommend him to make the best of his way for his safety.

10303. Did he leave?—I believe he did; I never saw him afterwards, except for a very considerable period.

10304. We have heard of the messengers being employed at the election, and that they received 3 *l.* and 1 *l.*; do you in your judgment, remembering the risk and the labour they were put to, those who attended specially, consider that 3 *l.* would be too much for the labour they underwent?—Considering the service and the risk of those individuals who came under my notice, I do not think that they were well paid even if they were paid 3 *l.* a night.

10305. Did you understand that those payments were made for the services and danger incurred by the messengers?—So far as I have any knowledge of it, they were paid for services.

10306. Would the payment then be made larger in consequence of the increased risk in the time of the election?—I am not aware of that; I understood

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stood that they were paid according to the length of time employed; I had nothing to do with the arrangement.

10307. You were not present when the arrangement for the payment of those men was resolved upon?—No, I was not.

10308. Were you in York in the election in 1835?—Yes, I was.

10309. Did you take an active part in that, as you had done in the previous election?—No, not to the same extent; I was somewhat out of health at that time.

10310. Were you out at any time of the night during the first day's poll?—Yes, I was; I went out with two or three others of Mr. Lowther's committee to look after our voters.

10311. Then you had an opportunity of seeing whether there was or was not any great quantity of drunkenness on that occasion?—There was not certainly that extent of drunkenness at that time that I had seen on a former election.

10312. Did you see any cases of gross intoxication yourself?—I cannot remember that I did.

10313. Did you find the public-houses open or shut at that time?—I think generally speaking they were open; I do not know any in fact that were closed.

10314. At what time did you go out?—About 11 o'clock.

10315. At what time did you return?—To the best of my recollection, I was in bed at one o'clock.

10316. In what state were the houses at that time?—The houses were chiefly closed.

10317. The election was virtually decided by the first day's poll?—I should think so; Mr. Lowther was then considerably ahead, and it was thought that the other party could not overtake him.

10318. Then you were all congratulating yourselves?—We were rather cautious about that; we did not consider ourselves safe till the election was over; we did not feel our danger sufficiently in 1832, when they were neck and neck.

10319. But the majority of two to one would create the impression that Mr. Lowther was quite safe?—We thought so at the time; we did not allow ourselves to be sure in the town; generally there seemed to be no doubt.

10320. Were you in any district committee in Aldwork, at this last election, when an attack was made?—Yes, I was.

10321. By whom was that made?—By some of the Radical party; they were in liquor, I believe.

10322. Mr. Barkley's party?—Yes.

10323. Are you a member of the police committee or the patrol committee?—I am a commissioner under the York City Improvement Act, and I am a member of the committee under which the patrol is placed.

10324. Would it be your duty in that capacity to receive the report of the captain of patrol?—Yes; as a member of the committee I receive it.

10325. Did you receive any report?—About the time of the election the committee frequently met to give their instructions to the patrol, and to receive their report.

10326. Did you receive their report?—Yes, we did.

10327. Can you recollect any cases of violence and drunkenness which were reported to you?—There were very few; in fact, I recollect none of particular interest except one, in which Mr. Barkley himself was engaged.

10328. Was he reported as having been drunk?—We of course felt it our duty, in consequence of the various reports about the town of the affray, to question the patrol closely; a man had unfortunately had his leg broken on the Sunday morning.

10329. Where was that?—In the neighbourhood of Mr. Barkley's lodgings.

10330. Mr. *Hill.*]—Were you there?—No, I was not.

10331. Mr. *Wrangham.*]—You received this report from the captain of the patrol?—Yes.

10332. Which way are his politics?—I believe he has been always what is called an ultra-Whig.

10333. Did he make this report to you upon the subject of this affray?—At the meeting of the committee.

10334. What

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10334. What did he say of Mr. Barkley?—He was questioned upon it, and we had heard that Mr. Barkley was in a state of intoxication; and upon being questioned upon that point, he said that he must say that Mr. Barkley was much the worse for liquor.

10335. Do you remember his speaking of any directions that Mr. Barkley gave to the patrol as to the way in which they should march?—I understood him to say that they were to march in order, that is, in conveying the unfortunate man to the hospital.

10336. Did the captain of the patrol report the conduct of Mr. Barkley, as having been of that nature as to leave no doubt of his intoxication?—He did not report it on his books, but he admitted it in conversation on being questioned.

10337. Do you remember the sovereign letters going round?—I only remember them being spoken of since the election of 1835.

10338. Did that strike you with surprise, or was it a matter which you expected?—I was very much surprised to hear it, certainly.

10339. Did you mention it to any one?—I cannot say that I recollect particularly.

10340. Do you remember mentioning it to Mr. Hudson?—Yes, I do.

10341. What did he express upon it?—He expressed his surprise; I think I remember first hearing of the report of these letters being sent at the post-office.

10342. We have heard that Mr. Lowther was very unpopular in 1832; was the Blue interest united or divided at that time?—It was decidedly divided in 1832.

10343. Between whom was it divided?—Between Mr. Bayntun and Mr. Lowther.

10344. Which of the two should you say that the poorer order of voters connected with the Blue party were most attached to?—Mr. Bayntun, decidedly.

10345. Did then the fact of Mr. Lowther's standing, so as to interfere with Mr. Bayntun's success, account for the unpopularity which prevailed against him to a certain extent?—Quite so; so much so, that in the course of the preparatory arrangements for the election of 1832, I remember advising my friends that they should recommend Mr. Lowther to abandon the election.

10346. After Mr. Bayntun's death, coming down to the election in 1835, what became of those men that had supported Mr. Bayntun in 1832?—They came over to Mr. Lowther and voted for him.

10347. Then the Blue party was divided in 1832?—Yes.

10348. You have lived in York some time?—All my life.

10349. Has it not been the case that there has been one and one returned, a Whig and Tory?—With very few exceptions; the charm was broken when Sir Mark Sykes threw out the present Lord Dundas.

10350. It has always been a Whig borough?—Yes, for a great number of years.

10351. And was supposed to be under the patronage of Wentworth House?—I have heard so; I do not know it of my own knowledge.

10352. The corporation are a body chiefly Whig?—Yes, they are.

10353. Was Mr. Barkley popular at the last election?—He was among a certain class.

10354. What class was that, those who had votes, or those who had not?—Those who had no votes.

10355. People ran after him to hear him speak?—Yes.

10356. Was it from veneration or love of amusement?—If a speaker says strong things, and says them in a pleasing way, he is sure to get plenty of auditors.

10357. Had you ever heard of Mr. Barkley, before he came down this time?—No, I think not; there was some talk of an individual being brought down by a person of the name of John Wilson, and I think it was understood that his name was Barkley that he was to bring down, but for some reason or other he never came to oppose Mr. Dundas in 1833.

10358. When Mr. Dundas stood upon the purity of principles?—Yes.

10359. It was understood that Mr. Barkley was to be brought to oppose him?—Yes.

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10360. Was he an entire stranger in York?—Quite a stranger when he came down.

10361. The public did not know what he was for?—No.

10362. Under all the circumstances of his coming so perfectly a stranger, do you think that from that circumstance alone he had the remotest chance of success?—No.

10363. Did you ever hear accounts in York of the mode in which he conducted himself on his canvass?—I have heard of many anecdotes told of him, but he never came across me, and therefore from any personal knowledge I cannot speak; I remember a friend of mine told me he was grossly insulted by him.

10364. Who was he?—John Sidworth.

10365. Do you remember the circumstances?—He said that Mr. Barkley canvassed him, and Mr. Sidworth said that he should not vote for him; and he wanted to know his reasons. Mr. Sidworth was engaged in his shop at the time, and he told him that he had not time to attend to him, and should not vote for him; and Mr. Barkley conducted himself in an ungentlemanly manner, called him a damned fool, and other epithets; and Mr. Sidworth threatened to fetch the constable if he did not go.

10366. Did you hear of similar ebullitions in the course of Mr. Barkley's canvass?—It was common talk in the town; I do not know of any positive instance myself.

10367. Would not such reports as these getting abroad, as to the uncourteous conduct of Mr. Barkley to the voters of York, have a tendency to lessen his chance of success?—I heard of several who declined voting in consequence.

10368. Have you any doubt that it would be so?—If I might judge of other persons' feelings from my own, I should say so.

10369. At what time was it that this matter of the affray occurred in New-street, near to Mr. Barkley's lodgings?—It was at an early hour on Sunday morning.

10370. In the midnight of Saturday?—It was after the turn of midnight.

10371. We have had a great many reasons given for majorities and minorities; what is your impression as to the state of political feeling in York now, as compared with what it was when the Reform Bill passed; is the Conservative feeling stronger or weaker than it was at that time?—I should not hesitate to say that it was stronger.

10372. Have you any doubt about it?—Not any doubt.

10373. Which way are the majority of those voters disposed, the ten-pounders, who have been added by the Reform Bill?—I should think, from the best judgment that I am able to form, that we have a decided majority.

10374. Do you think, generally, that the balance of property and of intelligence in York is in favour of the Conservatives?—Yes.

10375. Do those matters, all combined, account easily for the difference between Mr. Lowther's poll in 1832 and 1835?—I think, taking into consideration the division that there was in his interest in 1832, it is easily accounted for.

10376. Questions have been asked as to impressions about motives, what is your impression as to the motives of the petitioners; do you think that they proceed from purity of principles or from the rancour of defeat?—It is difficult to judge of people's motives.

10377. What is your belief?—I should say, upon consideration, judging of the parties, that it has been from a vindictive feeling, a feeling of disappointment.

10378. But do you believe that if two Whigs had been returned at the last election, we should ever have heard of this petition?—I think it is very unlikely that the parties would petition against themselves.

Cross-examined by Mr. Hill.

10379. My learned friend has asked you about the conduct of a gentleman, but he did not think it proper to ask that gentleman any question, but you have told us the whole story?—I believe I have.

10380. Did you not hear at the time when you heard this other matter, that Mr. Barkley was alarmed by a noise in the street, and went out and found a man with his leg broken, and assisted in carrying him himself to the infirmary?—

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I heard that Mr. Barkley was alarmed by the noise, and came out, but when the police came up, and it was the police examination that we heard, they found Mr. Barkley with the man outside.

10381. Did not the police tell you that Mr. Barkley helped to carry that man to the infirmary?—He accompanied them; I will not undertake to say whether he did or did not assist.

10382. So your recollection does not carry you, whether Mr. Barkley performed that act of humanity or not?—No; but it may have been told me.

10383. How do you reconcile your first answer, that you had told the whole story?—I told the story so far as I was asked, and of course so far as the question went.

10384. What is that captain's name?—Smith.

10385. He is not here?—Not that I am aware of.

10386. Did you not ask the police captain, Smith, why he did not enter the charges into his book against Mr. Barkley?—No,

10387. Do you believe that Mr. Barkley was drunk?—We only speak of what we heard.

10388. Did you believe that Mr. Barkley was drunk?—I did.

10389. Why did you not demand that the charge should be put against him in the book?—I do not know that it was necessary to make a charge, or that it was not entered in the book.

10390. Did any person enter into the charge?—Yes; it was a conversation and an inquiry.

10391. What I ask you, is this; was that a charge before a legal tribunal made against Mr. Barkley for drunkenness, that you are speaking of?—I believe that was not entered on the books, but I cannot swear.

10392. How did it come before you; are you a magistrate?—Yes.

10393. Do you hear charges about drunkenness?—The patrol committee is under the management of the city commissioners, of which I am one.

10394. Do you enter into charges about drunkenness?—The report is made to us, and the charges there entered on the books or carried invariably before the magistrates.

10395. It is their duty to see that the patrol do their duty as to entering the charges, or any other of their duties which may come under their control?—It is our duty to see that they do their duty.

10396. You have talked of Mr. Bayntun, who is dead, ratting; have you always been of the same opinion that you are now?—Yes.

10397. You were always a Tory, were you?—Yes; perhaps not quite so decided as I have been of late years, because the conduct of the Whigs and Radicals has been so violent.

10398. Were you a member of a Whig club formerly?—I suppose I was, but without my consent, for a few days.

10399. You never attended any of their meetings?—I did once, and I suppose they enrolled me a member in consequence.

10400. Was it at that time that you were not so decided a Tory?—It was at the time when there was a strong excitement in consequence of Queen Caroline, and I had a strong feeling upon that.

10401. In the election of 1820, whom did you vote for?—I declare that I do not at this moment recollect; but I believe once I split between Sir Mark Sykes and Dundas.

10402. Can you take upon yourself to say that you did vote for Sir Mark Sykes?—I believe I did.

10403. Will you take upon yourself to say that you did?—I will not be positive, but I do not recollect voting against Sir Mark Sykes.

10404. Can you take upon yourself to say that you ever voted for a Tory till after the year 1820?—I do not remember that I was a freeman before that time.

10405. That is no answer to my question?—I do not recollect ever voting against a Tory in my life.

10406. That is no answer to my question; my question is, whether you ever voted for any Tory till after the election of 1820?—I really do not understand the question, if I say that I do not recollect voting before 1820.

10407. Do not you know when you began to vote, your taking an active

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part in elections?—I have taken a great part of late years, but I believe I became a freeman in 1818.

10408. For whom did you vote in 1820?—I cannot say.

10409. Was 1818 the first time you gave a vote?—No; I became free then.

10410. That is your final answer to the Committee, that you cannot tell for whom you voted in 1820?—I believe it was for Sir Mark Sykes, and perhaps Sir William Milner; I think so, if I recollect right; I wish to speak what I know; I think I split once, or perhaps twice.

10411. Were you engaged in the election of 1830?—Yes, I was.

10412. On Mr. Bayntun's side?—Yes.

10413. Were you on his committee?—I was.

10414. Was not the expenditure on the behalf of Mr. Bayntun very large?—I heard it said so, and I heard it contradicted.

10415. Do not you know that it was proved in court to be 8,000 *l.*?—No; I do not know it from my personal knowledge; I believe it was large.

10416. Are you not a proprietor of a York newspaper?—Yes.

10417. Was not the trial of "Bayntun *v.* Cattell" printed at great length in that paper?—Yes.

10418. Did you not print a pamphlet account of that trial?—Yes.

10419. Was it not proved at that trial that the expenditure had been 8,000 *l.*?—I cannot undertake to say how much it was; I believe it was about that amount.

10420. You were on the committee at the time?—I was; I knew nothing about the finances.

10421. What was your bill at that time?—You mean the printing bill; for I laid out a great deal of money, which I never got paid for.

10422. What was it?—Perhaps altogether it would be 150 *l.*; for that amount I never had one farthing.

10423. You were on Mr. Bayntun's committee in 1830?—Yes.

10424. Were you on Mr. Bayntun's committee in 1832?—No.

10425. One thousand eight hundred and thirty-one would be the next?—Yes.

10426. Were you on his committee then?—No; I took no part in the election.

10427. Nor in 1832?—I was against him in 1832.

10428. Did the committee pay the guineas at that election?—I do not recollect.

10429. Have you never heard that they were paid?—I might have heard, but I have no positive knowledge.

10430. To your belief were not the guineas paid for Mr. Bayntun in 1830?—I believe they were, but I have no personal knowledge.

10431. Were they not called Christmas-boxes?—I cannot say.

10432. Have you any doubt about it?—I have my doubts; I believe they were paid; I heard so.

10433. In 1832 you have told us that there was occasion for a good deal of exertion on the part of the messengers?—Yes.

10434. It was a service of danger, you told my learned friend?—Yes.

10435. And required strength?—Yes.

10436. And bravery, and some personal courage?—Yes.

10437. After the election in 1832 the messengers were paid 3 *l.* for a plumper, and 1 *l.* for split votes?—Yes, they were.

10438. Did you find that courage and strength and devotion and attention on the part of the messengers was always just in that ratio, that the plumpers had three times as much of each of these qualities as the split votes?—I cannot certainly undertake to say that, but I always understood that they were paid according to their services.

10439. You come here to tell us that you believe they were paid according to their services?—I always understood so.

10440. Do you believe it?—I do.

10441. You believe then, that although you have told us that messengers were actually required for this service of danger, and that the messengers were paid according to their services, that the accident did happen that the plumpers did three times as much good service as the split votes?—I do not know that.

10442. *Committee.*]—Do you believe that the bravery and general services of those parties was given for three times the period by those who received three times the payment or not?—I understood that a great many were always selected for

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for certain occasions; I do not know by whom they were selected; I had no selection of them.

10443. As a difference of payment took place, was there a difference of time given by the parties to whom that difference was made?—I cannot say; I had nothing to do with the arrangement.

10444. Do you know or not that there was such a difference?—I cannot answer the question.

10445. Mr. *Hill.*]—Who set down in 1832?—I do not know.

10446. Were you a member of the committee in 1832?—I was.

10447. But you really know nothing about setting down?—I know nothing about who was engaged.

10448. You know that there was setting down, on the part of Mr. Lowther, in 1832?—I heard so.

10449. And believe it, do not you?—Yes.

10450. Do not you know that every person was set down who came to offer a vote?—I do not know that.

10451. What is your belief?—I have no belief upon it.

10452. Have you any reason to suppose that any person who went to offer himself to be set down for Mr. Lowther would be refused?—I cannot say; I cannot answer the question.

10453. You have lived in York all your life?—Yes.

10454. I call your attention to what you must know of York elections, and I ask you if you have reason to suppose that any voter going, in 1832, to Mr. Lowther's committee to be set down would be refused if he offered to vote?—I do not know whether he would or not; I had nothing to do with the setting down.

10455. Did you ever hear it suggested in the committee that there should be any limitation to the number of messengers?—I cannot say.

10456. Or that the messengers should be chosen only from those who were able to give services?—I cannot say.

10457. You have told us that you saw Mr. Leman as the leader of the mob at the Punch Bowl; when was it that you came into such a situation that you could see anything that was going on?—I was in an up-stairs room, and from the window could see what was doing.

10458. You were engaged in setting down, or something?—In crossing out the names.

10459. How soon did you leave that employ and go up to the window after the noise begun?—It would be within a quarter of an hour.

10460. What were the people doing when you went to the window?—They were making great noise and uproar in the street, and attempting to get in at the door.

10461. Then the attempt had begun, had it?—Yes.

10462. Was it the first floor or the second floor window where you were?—It was the first floor above the ground-floor.

10463. Where was Mr. Leman standing?—Near to the door.

10464. To what door?—To Mr. Joy's house-door.

10465. How near was he to the door?—I cannot say exactly; it would not be above a yard or so, or two yards at the utmost.

10466. Did he stay there any time?—He was there as long as I stayed: I did not remain at the window a minute; we were anxious to have our papers taken care of.

10467. So that he was near the door at the very thickest?—Yes.

10468. They were using this battering-ram?—Not then, they were endeavouring to force their way in; when we went down the door was open.

10469. That you are quite certain of?—Yes.

10470. And that Mr. Leman was making gesticulations?—Yes.

10471. Could you hear what he said?—The whole of what I heard was something to this effect, "Go it, lads!"

10472. That was before the door was shut?—It was.

10473. And your observation was confined to the short time that you put your head out of window?—No, I was down-stairs after.

10474. Was it when you were up-stairs or down that you saw Mr. Leman?—When I was up-stairs.

10475. When you were down you did not?—No, nor could I in the crowd.

10476. In 1835, this last election, were you upon the committee?—Yes.

10477. Still

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10477. Still you knew nothing of the setting down?—No, I did not take very much interest, not so much as usual, in consequence of being out of health.

10478. There was a great number of messengers employed in the last election, was there not?—I understood there were a good many.

10479. We have heard that 570 would be required for the business of the election; is that your opinion?—I do not think that there was one too many.

10480. Do you agree with Mr. Richardson in opinion that 570 would be required?—I am of opinion that 500 were not too many for the York election.

10481. Why do you throw out the odd 70; would 570 be required?—I should think they would.

10482. If they are required, do you know any reason why they should not be had; it is easy to get them?—Not always; in 1832 it was said that Mr. Lowther's friends had to send into the country.

10483. But it is easy to get them to set down. Just attend to this question, and answer it: Do you mean to say that there is any difficulty in York in getting men to be set down?—I should think there is not.

10484. Then, at all events, there would be no difficulty, if 570 messengers were necessary, in getting 570 persons to be set down; whether they would do the work or not is another matter?—I should think if 570 were wanted they could get them set down.

10485. Have you any notion how the 570 messengers have been paid?—No.

10486. Do you know of such a body of men having been paid since the last election?—No; only from report.

10487. Has there been any report?—There has been a report about those Blue letters.

10488. Has there been any report about 570 being paid in any other way than by the Blue letters?—I have never heard of it.

10489. And you were on the committee?—I was.

10490. You say you were very much surprised when you heard of the letters?—Yes, I was.

10491. But inasmuch as no large body of messengers had been paid in any other way than by the letters, how came you to be surprised?—I know nothing about their being paid in that or any other way.

10492. That is no answer to the question: you say there was setting down in 1835; have you any doubt that that setting down was to a very considerable amount?—I cannot say.

10493. Have you any doubt about it, considering the experience of former elections, and the necessity for messengers; have you any doubt that it was to a considerable extent?—I should think 500 were set down.

10494. Have you ever heard any mode in which those 500 men have been paid, unless they have been paid by sovereign letters?—I have never heard of those being paid.

10495. Except ——?—I have heard of some letters being sent, but I know nothing of it.

10496. Those persons not having, to your knowledge, been paid in any other way, how was it that you were surprised when the sovereign letters came?—I was surprised to hear of money being sent from any quarter.

10497. Was it the money that surprised you?—Yes, and the mode.

10498. That was a new mode of paying money in York?—I suppose so, for I never heard of it before.

10499. Was it the mode in which the payments were made that surprised you?—The letters themselves, and the number coming.

10500. The new and secret mode of paying surprised you?—I do not know.

10501. You have not now the remotest idea?—Indeed I have not.

10502. Was it the mode of being a secret payment that surprised you, or was it there being any payment?—I was surprised when I heard that some hundreds of letters had come through the post-office, and I inquired at the post-office what they could be, and the clerk smiled and said, I suppose they are Mr. Lowther's letters; it was the first mention I heard made of it; I had gone down to the office, as my letters were an hour later than usual.

10503. Suppose, instead of letters coming round at this time, which was after the time for petitioning had gone by, Mr. Lowther's agent had paid 2 *l.* to his plumper and 1 *l.* to his split votes, would you have been surprised then?—If he had paid his messengers I should not have been surprised.

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10504–5. If he had paid the persons set down, you would not have been surprised?—Set down as messengers, I should not have been surprised.

10506. Then to recur to the former question; was it the mode in which the money was transmitted to Mr. Lowther's voters that surprised you, and not the fact of the money?—The fact of the money being sent in the letters, in such number, did surprise me.

10507. Is that your printing?—It is printed at my office.

10508. Who paid for that?—No one; we did it for ourselves.

10509. Who do you mean by we?—I am only one of the proprietors.

10510. Is Mr. Richardson another of the proprietors?—He is; but Mr. Richardson knew nothing of that.

10511. This was done at the expense of the proprietors?—Yes.

10512. Have you in your paper excited the people of York to the dislike of the petitioners, for presenting this petition?—We have written very strongly against the petition.

10513. Against the motives of the persons who signed both petitions?—Yes.

10514. And you consider all who have signed both petitions as actuated by vindictive motives?—Yes.

10515. The gentlemen of the Society of Friends?—I have the same opinion of them.

10516. Having that honest opinion, you have written pretty strongly against these petitions and against them?—Yes; and the other Whig paper is quite as severe as ours; there is a Whig paper against them; Mr. Anderson's is the only one in their favour.

10517. What are they?—The York Herald and the York Courant, the two most respectable papers in York.

10518. Do you know whether you have succeeded in making the petitioners, and all who are concerned in defending these petitions, very unpopular?—I am not aware that we have.

10519. Have you done the best towards it?—Yes; I would not except the Society of Friends on any ground.

Re-examined by Mr. Wrangham.

10520. You think that Friends may make as good enemies as any other people?—They are to the Conservative interest, with some exceptions.

10521. Do you write the articles as well as print them?—No.

10522. Is there an editor who conducts that part?—Yes.

10523. You are the publisher?—Yes, and part proprietor.

10524. Have you a control over the articles that the editor writes?—I conceive that I have a controlling power for my own safety, but it is rarely indeed exercised.

10525. You have been asked a vast deal about paying messengers, and whether you knew of any payment of messengers since the election, except those sovereign letters; had you anything to do with the finance department of the election?—Nothing whatever.

10526. Does Mr. Hudson, or any other party, consult you upon that subject?—No.

10527. Might not messengers have been paid without your knowledge, before sending out the sovereign letters?—It might have been done.

10528. In short, you know nothing upon that subject?—No.

10529. My learned friend has talked of setting down; my learned friend has a particular way of giving a meaning to it; what do you understand by setting down?—Setting down messengers for *bonâ fide* purposes, to be employed in the course of the election. As a remarkable instance of that, in 1832 I remember that when the money was paid, there were individuals applied for money whose names were not in the list, and they were told that they could not be paid, and were not employed.

10530. Would not those who gave their whole and undivided support to the party, be much more forward in your service than those who split between them and the opposing party?—I think I have stated that they were more likely to be selected for the employment.

10531. And therefore they would receive a greater amount of remuneration?—I should imagine so; I have had nothing to do with the payments.

10532. My learned friend has asked you whether you ever heard of any voter being refused in 1832 to be set down; was it not the fact, that so far from there being too many that came, they were obliged to engage a great many individuals

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from neighbouring villages?—I heard that several were engaged from neighbouring villages; that we had not sufficient force in the town.

10533. Persons not voters?—Yes.

10534. At the time that those disturbances went on in 1832, did you hear of any extra number of persons being sworn in as special constables to keep the peace?—No; it might have been, but I never heard it.

10535. You never heard that the magistrates had taken any steps in that way?—It might have been, but I think I should have heard of it if they had.

10536. You have been examined about a bill; the bill consists of a copy of the first petition, and the names of the signatures?—Yes.

10537. Marking those who are not electors, and who describe themselves as being registered, and those who are?—Yes.

10538. Making those who tell the truth, as far as that pamphlet is concerned, and those who tell falsehood, as far as that is concerned?—Yes.

10539. And about six or seven are not electors?—I do not remember the number.

10540. There is a note expressing their readiness to correct any statement?—Yes; when it first came out there were errors that we corrected.

10541. Mr. *Hill.*]—Is that the first edition or the second edition?—I do not know; I believe that that note has stood from first to last.

10542. Mr. *Wrangham.*]—It is, "Brother freemen, a petition has been presented to the House of Commons, the real object of which is to deprive us of our rights, and to assist the Government to carry the clauses in the Corporation Reform Bill, by which our children will be robbed of their birthrights." The Tories have been accused of being the authors of this petition; is that the fact?—Yes, it was so stated.

10543. "Examine the names attached to it, and you will be convinced that the charge is false. The following is a copy of the petition, from a third edition of the Yorkshire Gazette of Saturday last." Then comes the petition and signatures. "Brother freemen, who is it that would disfranchise us and deprive us of our rights? We will answer that question by our votes at the next election. A Freeman of York." Do you think there was anything very culpable in that production?—I do not, certainly; I felt the more anxious to set that right, because an attempt had been made to attack the Conservatives with first setting down in the petition, and that attempt was made through one of the Whig papers, and I have since learnt that those letters were written by Mr. Leman.

Mr. *Leman.*]—Perhaps the Committee will allow me to say, that there is not a word of truth in it.

10544. Mr. *Hill.*]—Who told you that?—It was the report in the town; I had heard it; I was told by one man in my own office; at this moment I cannot recollect, but upon questioning them I have no doubt that they will admit it; information which is brought from other offices I do not question them about.

10545. Mr. *Wrangham.*]—You say that there was a report in the newspaper of the trial of Cattell *v.* Bayntun, where it appeared upon the evidence that 7,000 *l.* or 8,000 *l.* had been expended at the election of 1830; was it during the time when the out-voters existed in full force?—Yes.

10546. And was not the principal part of the election in those days arising from the expense of the out-voters?—I have always understood that when the contest for York was carried to a great extent, the out-voters generally cost 5,000 *l.*

10547. They then came from London, and from all parts of the island?—Yes, a great many came from London.

10548. Your bill for printing, advertising and for money advanced, amounted to the enormous sum of 150 *l.*?—I think it would not exceed that.

10549. But whatever it was, you have not had a farthing of it paid?—No, Mr. Bayntun gave me a bill, with a very polite note for a hundred, but it was never honoured.

10550. You were asked how you voted in 1818, and you said you thought you gave your vote to Sir William Milner; was it not Sir William Cook?—Perhaps it might be, I cannot recollect; I know that once or twice I gave a half vote to the Whig interest.

10551. And it was about the time of the Queen's business that your opinions differed from those of the Tories generally?—Upon that point I did differ.

10552. I believe

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10552. I believe many of the leading Tories were of the same opinion?—I dare say they were.

10553. Do you recollect whether a nobleman in Yorkshire, a Tory, Lord Harewood, was one of the warmest of your opinion?—I do not know that; I went to a club which was going to express an opinion upon that subject, and I found myself enrolled; but now that it is named here, I believe that Mr. Anderson called upon me for 2 *s.* 6 *d.* for setting me down, and for defraying the expenses of petitioning; that is all I know.

10554. Afterwards your name disappeared?—Yes.

10555. The Whig club has disappeared altogether, has it not?—I do not know; I believe it has dwindled away.

10556. You say you are in doubt whether the police captain has entered upon his police-book the charge against Mr. Barkley?—I do not know, but I believe he did not.

10557. He is an ultra-Whig?—Yes; from the situation he holds, he does not take any prominent part.

10558. Might you not have felt some delicacy in taking any proceedings against one of the Orange candidates, you being a Blue?—Of course I should; the plan is, that all the cases entered are taken before the magistrates.

10559. Do not you take up every man who is drunk in the streets of York?—No.

10560. Upon your inquiry, it was found that Mr. Barkley had been found in a state of intoxication?—I believe he was much the worse for liquor.

10561. And you did not feel yourself justified in proceeding on a charge against him for that?—No.

10562. Do you believe that the names which were taken down, were taken down to be employed in service?—I have understood it so since I have had to do with elections.

10563. From what you have seen in the elections of 1832 and 1835, do you or do not you believe that a select number of messengers or body-guardsmen is requisite in the elections in York?—Most undoubtedly.

Examined by the Committee.

10564. You are responsible for the articles which appear in this newspaper?—Yes.

10565. It is with your sanction that this is printed, holding up the petitioners to public odium?—It was with my sanction.

10566. Upon what ground do you think that this petition is a disgrace to the city?—Because it has been brought forward, as I have stated, from vindictive feelings towards our party.

10567. Is it because you consider it has been brought forward from wrong motives, or because you do not attach any consequence to the object that it has, of suppressing bribery?—I am not aware that bribery has existed, and therefore I do not attach any consequence to that.

10568. You do not believe that bribery is practised in the elections at York?—I am not aware of any.

10569. You do not believe that bribery exists in elections at York?—I do not.

10570. You believe that setting down has nothing to do with any corrupt practice, such as inducing men to give their votes for money?—I should say not, so far as our party goes.

10571. Not speaking of any party, but of elections generally?—I have always understood that every party set down for *bonâ fide* purposes, and no other.

10572. It is a *bonâ fide* purpose, if a contract is made for a vote?—For a legal object, as messengers and runners.

10573. Do you think it is essential, for the conduct of an election, that there should be 500 men in attendance?—So long as the system of intimidation is allowed.

10574. Do you think that they are employed chiefly or entirely for the absolute protection of persons engaged in the election?—I have no doubt, in the last elections, many more were required to protect the parties and the candidates.

10575. Do you think that those sovereign letters were wrong to send to the voters?—If those sovereign letters were sent as payment for running messengers, and so on, I should of course say that they were not, presuming that they were sent by Mr. Lowther's friends.

10576. Then you think that it is wrong to buy votes?—Decidedly.

10577. And you believe that no pecuniary inducement has been held out to voters

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voters at York to give their votes?—I do not know whether the voters in York may not expect——

10578. What do you know now?—The voters in York may possibly be induced to expect——

10579. State what you believe; do you believe that pecuniary inducement is offered to voters to give a vote in York?—I believe there is no such thing as a pecuniary consideration for their votes.

10580. You never heard of it?—Never.

10581. It is a new thing hearing such a thing mentioned, as that there should be bribery at York?—It is not a new thing to hear that there should be bribery, for York has been charged with bribery.

10582. Then your belief is, that if you heard it mentioned you would treat it as a calumny?—Most decidedly, to my knowledge and belief as well.

10583. You would not scruple to state as your belief, that there was no such thing as bribery at York?—No.

10584. Do you think that the system of carrying on elections by means of each of the candidates having many hundreds of messengers is indispensable?—In the present system.

10585. Would it not appear to you that if intimidation is practised, it would be the duty of the constituted authorities to protect parties from violence?—It would be better.

10586. By enrolling large bodies of men?—Yes.

10587. Do not you think that such a large number of messengers being employed has a tendency to excite to breaches of the peace?—I think it may have when violent partisans of each party become opposed to each other.

10588. You think that those persons who are set down, are set down for the purpose of protecting the candidate from the intimidations of the mob?—Yes.

10589. Would it not then astonish you if old and bed-ridden men were set down, men who were not competent to use a staff?—I should be somewhat surprised at the fact.

10590. Is it your belief that a voter of York, who presented himself to be set down, would be rejected because he was weak and old?—I cannot say that that would be the case.

10591. Is it your belief that he would?—I have not a belief on the subject, as I have never known an instance of such a case.

10592. Is it your belief that in the practice of setting down, any discrimination whatever is exercised with respect to persons to be set down?—I am not aware that there is any discrimination used; I have never heard of any, and I can only speak of my own knowledge.

10593. If no discrimination is used, is it not apparent to you that the enrolment of those men must not be for the purpose of giving protection, which some of them must be incompetent to give, but for some other purpose?—I am not aware whether they have been objected to or not, and whether they have been I cannot undertake to say.

10594. Is it not the general understanding, when the books are opened, that any voter may go and enrol his name in the books?—I declare that I cannot say that it is the understanding.

10595. Do you believe that it is the practice?—I have heard of a great many going to be set down.

10596. Do you believe it?—I cannot believe whether it is the practice or not.

10597. It has been stated in your paper there was no ground for this petition?—I dare say it has.

10598. Have you any doubt of it?—I think I have not any doubt of it, though I do not read the articles, as we have an editor in whom I have implicit confidence; I do not take the pains to read all the articles.

10599. Supposing it is necessary to get a number of able-bodied men, might not the rejection of half a dozen of less vigour give offence, and create a disgust on their part?—I am sure I cannot tell; it might raise a spirit of jealousy.

10600. Might not those less healthy and strong be employed in more sedentary occupations, such as door-keepers?—There are a great many employed as bill-stickers, and some who carry banners.

10601. That does not require any great quantity of vigour?—No.

10602. If the object was protection, would it not be proper to set down able men, without any reference to their being voters?—Yes, it perhaps would.

10603. Do

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10603. Do you know whether the practice is to set down voters in preference to persons who are not voters?—Decidedly.

10604. Does it not follow, as an inference from that admission, that the object is to secure votes, by giving employment that would be advantageous to the voters?—The custom always has been to employ freemen in preference to others.

10605. Does not that operate as an inducement held out, and which the voter receives, in order to influence the vote he has to give?—It is possible it may have that effect.

10606. Must it not have that effect?—I should think so.

10607. Must not it exert a corrupt influence over them?—If they were not properly employed.

10608. Do you not know that, by law, the employment you consider proper, would render their votes nugatory, if questioned?—I never heard of it before.

10609. Then, if you were ignorant of that, can much importance be attached to your opinion as to the propriety of the practice?—I should think not.

10610. If such a law exists, does not the law itself stamp with reprobation that practice?—Yes, certainly; and had I known that, I should certainly condemn it.

10611. Do you not think that the services of messengers or body-guards, are persons who, as voters, are connected with the same parties as the candidate, that those services are likely to be given with more effect than by a parcel of strangers?—Yes.

10612. Was it considered rather a reflection on the Tory party, this petition?—It is intended to be a reflection upon them.

10613. The Tory parties will not be sorry to see the petition fail?—I should think they would not.

10614. Does your paper circulate among other people but the Tories?—Yes.

10615. How many papers are there at York?—Five; two Tory and three Whig.

10616. Is there not, in your belief, among the people set down in this paper many who do not receive, in their ordinary occupations, as much as 5 *s.* a day?—Yes.

10617. Therefore this business about which they are employed, supposing they are employed, is much more lucrative than their ordinary business?—Yes; and if it was not so we could not get people to perform the business, and brave the dangers that they do.

10618. You think there is danger?—There was in 1832.

10619. Was there in 1835?—No, not so much; there was an attempt made to excite the people by speaking out of the windows, but it did not excite the people; Mr. Bayntun being then removed, there was no occasion for it.

10620. Was that when you suffered in your own property?—Yes.

10621. Would not the experience of 1832 excite apprehensions for 1835?—We were certainly very apprehensive, and some very respectable individuals were induced not to act from an apprehension of injury.

10622. When you heard that these sovereign letters were sent round, what was your belief of the quarter from which they came?—I was at a loss to tell; I had no reason to form any opinion but from what I heard from the post-office clerk when I went down to inquire for my letters; he stated that they had received a great many money-letters, and that the delivery was later than usual; I said, Have you so many as to delay the delivery till this time, and he said there was, and that they were Lowther letters.

10623. When you heard the clerk state that, did it strike you as likely to be true?—It struck me as remarkable that they should come in that way.

10624 Did it strike you as likely to be true?—No, I did not credit it at first.

10625. Did you at last?—Yes, when it became the subject of general talk. I met Mr. Hudson, the treasurer, and asked him if he knew anything about it, and he said that he did not; he seemed to be as much surprised as myself.

10626. He told you he knew nothing about it?—Yes.

10627. Have you any belief of the quarter from which those letters came?—I have not, indeed.

10628. Would you rather be defended by a blind freeman of your own party, or by a well-seeing strong and brave man who had no vote at all?—By the latter, of course.

10629. Are you not very busy during the time of an election in the printing-office?—Yes, usually.

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10630. Do you require additional hands?—Yes.

10631. You send for them from the neighbourhood?—No; the offices in York are very accommodating, we lend men to one another.

10632. Was that the case in 1835, when Mr. Hudson said you were obliged to speak through the printing press?—I do not know what you mean by saying speaking through the printing press.

10633. Were not you busy in 1835 in the printing-office?—Yes, we are always busy in elections.

10634. You had additional hands?—I cannot say; we have an overseer who looks after that.

10635. Your regular hands were very fully employed?—Yes.

10636. Have you a printer of the name of Joseph Collyer?—Yes.

10637. Was he employed at the last election?—Yes, as a pressman.

10638. Do you know whether he received a sovereign letter?—I cannot say.

10639. Have you never heard?—No.

10640. Joseph Collyer, of Swine-gate?—That is the man.

10641. He was employed for Mr. Lowther?—Yes.

10642. You being very busy in your office during the time of elections, will you tell me how this gentleman could give four days' service to Mr. Lowther?—I do not know how he could give four days; he might have given some of his time, being a pressman; they are not so fully employed as the compositors; the press is not always going.

10643. Do you believe he did give any service at all?—I do not know.

10644. What is your belief?—I am not in the office all the day.

10645. I put it to you upon your belief; do you think that man gave any service at all, except in the printing-office?—I cannot positively say; I believe he was employed on the chairing day as one of the body-guardsmen; I am not positive.

10646. Do you not know that the body-guardsmen were paid for their services on the chairing day?—No.

10647. Besides the sovereign letter?—I do not.

10648. Mr. *Wrangham.*]—Whether he was employed or not all the four days you cannot tell?—No.

10649. You did not keep guard over all the pressmen in your employ?—No.

10650. There is an overlooker of the paper?—Yes.

10651. Have you any doubt if the overlooker was applied to by Collyer or by any one of the workmen to give him leave of absence to be employed as a messenger, it would have been given?—We have often given him leave of absence; I can name the assizes; he is generally one of the footmen of the high sheriff.

10652. The pressmen are not so constantly employed as the compositors are; the pressmen begin their duties at a particular time?—No.

10653. How is that?—When the News is at work their duty does come at a particular time. We have two or three pressmen in the office, and we turn one or two compositors into pressmen.

10654. You would not find it difficult to get other men if one or two of your men wished to be absent?—No.

10655. Mr. *Hill.*]—In election times?—No; the offices in York are very willing to help each other.

10656. Are all your compositors freemen?—Some of them; I do not know which are and which are not; I never canvassed them in my life.

10657. Did any of them vote for your party?—I understood that they did, but I never examined the poll-book.

10658. The compositors would be required during the whole time?—Yes.

10659. They could not give any very great assistance as messengers?—I never inquired into the time they kept during the election.

10660. What are the names of the compositors who are freemen?—I cannot tell; I dare say I have a dozen.

10661. Just give us the names of them?—In the first place, there is the overseer, Edward Bellerby.

10662. Is he your brother?—Yes. Then there is a person of the name of Tetley.

10663. What is his Christian name?—I do not know.

10664. Where does he live?—At Bishop's-hill.

10665. Is he a freeman?—I do not know; my brother is free. Then there is a person of the name of Smith.

10666. What

10666. What is his Christian name?—I cannot tell.

10667. Where does he live?—In Foss-gate.

10668. Tenter-lane?—That is the same man. Then I have another of the name of Whitehead.

10669. What is his Christian name?—John.

10670. Where does he live?—In the Groves now he lives.

10671. Where did he live at the time of the election?—Old Walk.

10672. Did he never live at Barton-hill?—No; but this man is not a freeman. Then I have another of the name of James Lancelot Foster.

10673. Where does he live?—In Spurrier-gate. Then I have another of the name of James Richardson.

10674. Where does he live?—I think it is Dundas-street, I think they call it; I am not sure.

10675. *Committee.*]—Is James Lancelot Foster a reporter?—Yes.

10676. Does he live in Coney-street?—Yes.

10677. Mr. *Hill.*]—James Richardson lives in Dundas-street?—Yes, I think it is. Then I have a person of the name of Gawthorne; his father is governor of the House of Correction.

10678. *Committee.*]—Does James Richardson live in St. Saviour's-gate?—No.

10679. Mr. *Hill.*]—What is he called; a printer?—Yes.

10680. Is Dundas-street near St. Saviour's-gate?—No.

10681. Is he a printer?—Yes.

10682. Do you know any other James Richardson, a printer, in York?—I believe he is the only one; he may have lived in St. Saviour's-gate; our men move about; I declare I cannot say; I do not follow them to inquire. Then there is a young man of the name of Ellis.

10683. Is he a freeman?—No, he is not; he is a young man in lodgings. Then I have another of the name of Wade.

10684. Is he a freeman?—No, I believe not; he never took up his freedom.

10685. What is his Christian name?—George.

10686. Where does he live?—In Stone-gate; his father is John Wade; I give you the Christian names under correction; I may be wrong in some instances.

10687. Is there any other?—I had two or three others who have left me since; we are frequently changing our men; those I have named are generally stationary.

10688. Do you know of any other freemen you had at the time of the election?—No, I do not indeed.

10689. Did you not take Mr. Lowther round to your men to canvass them?—No.

10690. You did not take him into the office?—No; I am not sure whether I was not there in 1832, when he called, but not in 1835; his canvassing committee might go round.

10691. William Ellis and John Smith have received sovereign letters?—William Ellis is not a freeman; he is a young man we had from Beverley.

10692. Where does he live?—I declare I do not know.

10693. Is there any William Ellis in the town, a printer?—There are many journeymen printers.

10694. I speak of William Ellis, who has left you and gone to Stafford?—We never had a man of that name who left us; the William Ellis we have now was never in any other office in York; he is a young man and unmarried.

10695. John Smith is not now in your office; did John Smith have a sovereign letter?—I never heard of it.

10696. *Committee.*]—Did you ever hear of anybody who had received a sovereign letter?—Not in the office.

10697. In the town?—I have heard of so many going about.

10698. Could you name any one person who has received a sovereign letter?—No.

10699. Mr. *Wrangham.*]—It appears there are four or five of your men who are not free, and four are; you say you did not canvass with Mr. Lowther?—No.

10700. If you had you would have found very little success, for two out of the four voted for Mr. Dundas; two others voted for Mr. Lowther, and Smith voted for Lowther and Dundas?—I should wish to state respectfully to this

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Committee that I never did canvass my men, or ask them to vote in any way whatever, and I did not know till this moment how they did vote.

10701. *Committee.*]—I wish to call your attention to the remarks with which you ushered in the petition: "Brother freemen; a petition has been presented to the House of Commons, the real object of which is to deprive us of our rights, and to assist the Government to carry the clauses in the Corporation Reform Bill, by which our children will be robbed of their birthrights;" what is the meaning of those words, "the real object of which is to deprive us of our rights"?—I should interpret it to allude to our elective franchise as freemen.

10702. In what way could the petition operate to deprive the freemen of the elective franchise?—I should conceive that the object of the petitioners was to disfranchise the freemen of the city of York.

10703. In what way could they hope by means of this petition to accomplish that?—By proving the allegations contained in the petition.

10704. By attempting to prove them, or proving them?—By proving them.

10705. The allegations in this petition being that bribery had taken place, you supposed that the object was to prove that bribery had taken place?—Yes, on the part of Mr. Lowther.

10706. Was there any other means by which they could hope to disfranchise the freemen of York, except by proving that bribery had taken place?—I am not aware of any other means.

10707. Did a larger number of the freemen vote for Mr. Lowther than the other candidate?—I do not know.

[The Witness withdrew.

James Meek, Esq. called in; and Examined by Mr. *Wrangham*, as follows:

James Meek, Esq.

10708. FOR whom did you vote at the last election for York?—Dundas and Barkley.

10709. You took, and have been in the habit of taking, an active part in the elections on the Orange side?—I did at the last election.

10710. In whose behalf especially, Dundas or Barkley?—Dundas only.

10711. All you gave to Barkley was a vote?—Yes.

10712. Have the agents whom I am representing applied to you to know what evidence you could furnish?—Yes, they did.

10713. Did you give them the particulars of your evidence, or decline?—I did not; I asked them to give me in writing the questions they intended to propose, and I would read them over and see what answers I could give, but I would not answer them till I saw them in writing.

10714. You wished to be examined by interrogatories?—I thought they had no right to examine me in private, except to prove I was a parish pauper.

10715. What is the distinction in your mind; is a pauper the only man to tell the truth?—I have been told that an attorney has the power of examining a pauper in private.

10716. Have you taken advice upon the subject?—No, except my own son.

10717. Mr. Anderson's clerk?—Yes.

10718. He told you, not being a pauper, you were not obliged to give evidence in private?—Yes.

10719. That the obligation only rested upon the unfortunate pauper?—Yes.

10720. You took an active part for Mr. Dundas at the last election?—I did.

10721. Have you signed these petitions, or either of them?—I did not.

10722. Were you ever applied to for that purpose?—I was applied to to sign one, perhaps both.

10723. Did you decline to sign them?—I did.

10724. On what account?—If my memory does not mislead me, Mr. Clemenshaw and Mr. Roundtree applied to me. When they waited upon me with the petition, I read it over, and said I declined signing, inasmuch as I believed that Mr. Dundas's party were none too pure; and the reason why I said so was the following, that we employed messengers to a very considerable extent, and I have always been of opinion that a Member of Parliament should be returned free of expense; and as a proof of that, at the last election, I proposed to the leading men on Mr. Dundas's committee to subscribe for his return.

10725. You took the more pure and correct course to subscribe for the return, rather than to subscribe for the petition?—I have told you what I said.

10726. Do

10726. Do not be angry?—If you put words into my mouth, I shall not adopt them unless I like them.

10727. Were you chairman of any district committee at the election?—The Monk ward district.

10728. Did you set down the names of any messengers there?—Do you mean that I did it personally?

10729. As chairman?—I gave authority for some names to be put down.

10730. I dare say you know the maxim, *qui facit per alium facit per se*, what you do by another you do for yourself; how many were set down?—The number of messengers for Monk ward was 73, and they were put down to do work, and I only paid those messengers that did work; several applied that I did not pay, because they did not work.

10731. Do you know of any others for Monk ward that anybody else paid?—I believe Sheriff Hanson paid some.

10732. Do you know how many?—I do not know; he can say that himself; they were not paid by the Monk ward committee.

10733. They were the Monk ward messengers?—They were paid at the White Swan; they did not reside in Monk ward.

10734. You understood from Mr. Hanson that there were others?—They were handed over to him; I did not pay them; I paid those I employed myself.

10735. How many were handed over to him?—I cannot say with certainty.

10736. There was a list given you?—I cannot say whether there was 30, or 40, or 50. I at once resisted paying them, not putting them down myself.

10737. Were there 50?—There might be.

10738. They were paid by Mr. Hanson?—I understood so; I did not pay them; I handed them over to Mr. Hanson.

10739. You say they were set down for work?—Yes, those I paid.

10740. Did they work?—Yes, to the best of my knowledge; and if Mr. John Dundas had not paid them, I should have thought myself bound to pay them. Some of them applied to me who I found had not been at work, and I did not pay them.

10741. Those who did not render service you did not pay; and if any of these had not rendered service you would not have paid them?—No.

10742. In your judgment, were their services required?—I will give you some idea of their services. On the day of nomination we sent out notes, of the description in my hand, to the amount of 300 or 400; I employed some of the men to fold them and deliver them; they were sent to every individual in Monk ward.

10743. To request their attendance at the nomination?—No, it was the evening of the nomination.

10744. Was it to request them to come early to the poll?—

[*The Witness produced a paper, which was handed in.*]

10745. It would employ a great number to take these out?—Yes, it did. There are also nine villages attached to the Monk ward district; and to those villages we sent some notes, but not to all, for it so happened that the other party had got most of the votes in those villages.

10746. The other party were beforehand with you?—We were behindhand.

10747. In point of fact, were the men during the time for which they were paid, according to your knowledge and your means of observation as chairman, fully employed in services rendered to your cause?—Yes, they were; it is impossible for me to say that every one did their duty.

10748. As far as you could exercise any overlooking over them, they were so?—Monk ward consists of 40 streets, lanes, and gates; and sub-committees were appointed, and they took a number of messengers to go along with them to go into the districts.

10749. Did they get voters up to the polling place?—Yes.

10750. That would not occupy your whole force?—We sent a considerable number out to the villages with conveyances to bring in the out-voters; there are nine villages, and supposing three were sent to each, that will make 27, and there was only one and a quarter to each street left.

10751. They go three together to the villages?—Yes.

 10752. That

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10752. That was to keep possession of the voters?—Report said there was danger; I did not see any.

10753. Then during the election they were employed in getting up the voters in the town?—Yes.

10754. Most of your voters split with Mr. Barkley?—Yes, most of them.

10755. All Mr. Barkley's voters split with yours?—I was not upon that committee, and cannot speak to it.

10756. Your messengers in getting up your voters to the poll, would by the same operation get up Mr. Barkley's voters?—They had no authority from me to do so.

10757. Supposing Mr. Barkley's voters voted for your side, when you got up Mr. Dundas's voters you necessarily got up Mr. Barkley's voters?—If they voted for Mr. Barkley, well and good; it was no part of my duty to get up voters for Mr. Barkley.

10758. Supposing John Thompson, for instance, who intended to split his vote, or had promised to do so, between Mr. Dundas and Mr. Barkley; Mr. Dundas's messenger finds him and takes him up to the poll; Mr. Barkley would not want any messenger; being there, he would give his vote for both?—Yes; quite correct.

10759. Might not Mr. Barkley rely upon Mr. Dundas to get up his voters, without using any messengers of his own?—Yes, and Mr. Lowther the same; they split with Mr. Lowther.

10760. But a great proportion of the 900, Mr. Dundas's voters, were splits between you and Mr. Barkley?—Yes.

10761. Mr. Barkley might not be at the trouble of having any messengers?—No; but our messengers were not ostensibly his messengers.

10762. But they were virtually?—Yes, they were in the sense you speak of, certainly.

10763. All your messengers in your ward were employed during the polling days in getting voters up to the poll?—Yes.

10764. Therefore, but for that service, you would not have wanted many of them during the polling days. Supposing they had not been so employed, as to the voters coming up, you would not have wanted them?—It is of great importance in York to get as many as we can to poll on the first day to make an impression.

10765. But if the voters would have come up of themselves, of their own accord on the first day, you would not have required messengers during the polling days?—Not for that specific purpose.

10766. But the great bulk were employed for that purpose?—Yes.

10767. Mr. Barkley would want few or no messengers during the polling days?—I do not know the messengers he employed.

10768. He would not want messengers during the polling days?—I have admitted where our men brought up men that split with Barkley there was no occasion for messengers on that side, and that applied the same to Mr. Lowther.

10769. And therefore Mr. Barkley might dispense with the employment of messengers, seeing that all his votes were split with you?—I am not aware that Mr. Barkley knew that Mr. Dundas's voters would split with him.

10770. Do you not know that he did intreat his voters to split with Mr. Barkley?—Report said so; I was not in his committee-room all the time of the election.

10771. Have you any list of those 73 messengers?—Yes, I have.

10772. Was that one you made out yourself or did you receive it from any one else?—I have both. This [*producing a paper*] is an analysis of Monk ward, both of the streets, and every voter's name in it: this is my private account, and did not belong to the committee at all: this is an arrangement of my own for the management of the ward, and here is a list of the names of the gentlemen who first formed the committee for the ward; then this committee was formed into sub-committees to take upon themselves to get up the votes for a particular district of the ward; in Monk ward there are 40 streets, lanes, or gates, they are synonymous in York, and there are nine villages. The whole voters in the ward and villages are 709; and here are the 73 individuals. I paid 1*l.* each, with the exception of a man of the name of Radge, who I think

I think was paid for twice four days. I learned from Mr. Hanson he had served on the canvassing committee, and all the rest were paid 1 *l.* each.

10773. Is Radge a publican?—Yes.

10774. He voted a plumper for Mr. Dundas, and he was employed eight days?—Yes.

10775. Let me look at that list; I do not want to look at your arrangement?—You may do so.

[*The paper was handed to Mr. Wrangham.*]

10776. Were these men all men that voted?—No, there are some of them not freemen.

10777. How many?—Two; and the reason I employed them was, they were two clever energetic men, well qualified for electioneering.

10778. As a general rule, you prefer your own party who are voters?—As a clear proof, I have taken some who are not voters.

10779. The other 71 are voters?—Yes.

10780. Would you not think it a more desirable plan to have men who take an interest in the cause to perform those services?—Yes, most certainly; I would rather confide in them than in the opposite party.

10781. The fact of their giving their votes to you was a test of their attachment to your party?—I never asked a single man for his vote during the election.

10782. But the fact of their giving their votes, or promising them to your party, was a test of their attachment to your party?—I am not aware that any one of those men promised me when I employed them that they would vote for Mr. Dundas; I admit that it was a fair inference that they would.

10783. Would you not prefer Mr. Dundas's voters to any other people?—Yes, certainly.

10784. Would it not be because you could trust to them?—Yes; but if there was vote by ballot we could do without it.

10785. You said they were necessary?—Yes; but if we had the vote by ballot, sovereigns would be of no use then nor anything else.

10786. Would not messengers be of any use?—We could do with less; I think, as I said before, that the member ought to be returned free of expense.

10787. But you say those messengers are wanted; I wish you to explain to me how under the vote by ballot fewer messengers would be required; there would not be fewer voters?—No; but there would not be the same mode pursued as in the present system.

10788. You would not send messengers to bring up the men to vote, because you would not know how they would vote?—I think that the men would not be put down for service to receive 1 *l.*

10789. Did you pay those men to secure their services or secure their votes?—There was a twofold sense in that, their services were necessary and their votes too; but still it induces a system of paying men for nothing; but I made it a *sine qua non* they should not be paid without working.

10790. You acted upon that plan?—Yes; and I refused to pay one who had not worked.

10791. You hold the employment of messengers to be necessary?—Yes, to a considerable extent.

10792. Do you know how many messengers were employed by Mr. Dundas?—No, I do not. I heard say from 300 to 400. I only know by report.

10793. Is Monk ward more extensive than the others?—We have 709 voters, and the whole number is 2,899 by this poll-book.

10794. Do you know what proportion you had of the votes in Monk ward?—No, I do not; the number of votes in Monk ward, and the nine villages, is 709.

10795. They did not all vote for Mr. John Dundas?—No.

10796. Do you know whether it was an equal division?—I think Mr. Lowther had the predominance at the last election. Monk ward has got not a little Blue; the gentlemen on your right know what I mean.

10797. They are rather Torified there?—Yes, alias Conservative.

10798. Which are the two men that are not voters?—The two Buss's.

10799. Those you employed for their qualifications as electioneerers?—I paid them the same as the rest, 5 *s.* a day each.

10800. Did you pay any others besides those in this list?—I paid eight of the general messengers, but I have not that list with me; it was forgotten or mislaid by some means; they were employed during the canvass, and received 1 *l.* 15 *s.* each. The account was sent down to me by Mr. John Wood, and in consequence of their being employed seven days each, I paid them as a relief to him; it had nothing to do with the election.

10801. Only with the canvass?—Yes; I mean not in bringing up to the poll.

10802. Are they in this list?—No.

10803. That makes up 81?—They may be included as messengers by me; I am not certain of it.

10804. Do you recollect the name of any one of them?—Yes, William Rullick, and John Bridgewater.

10805. Those men got 2 *l.* 15 *s.* altogether; 1 *l.* 15 *s.* for the business that had nothing to do with the election, and 1 *l.* from you for the service during the four days?—Yes.

10806. Those were all you paid?—Yes.

10807. None others?—No.

10808. Were there any others employed as flagmen?—I had nothing to do with the flagmen or music.

10809. That was settled at the general committee-room?—I do not know.

10810. You had flagmen and colourmen, and bands?—Yes.

10811. And a considerable number?—Yes, very considerable.

10812. How many do you think there were employed?—It is a vague guess; you were at the election as well as me.

10813. No, I was not; I was there a day or two before?—I was told that you made a speech from the committee-room; I was not so fortunate as to hear it.

10814. Give us your judgment; you would see a good deal of it?—I was told that they employed Colonel Martin's band, the militia band; and when he got notice that the Reformers had employed his band, he gave notice to them to go to the other party, and Mr. Dundas's friends were obliged to send to Leeds for a band; this I do not know of my own knowledge, only from report.

10815. I am speaking of the men that carried colours, and constables not sworn in; how many of them were there?—I cannot say; I have no idea.

10816. Can you say there were 20 or 200?—If you wish me to guess at things, I will, but I do not know.

10817. Will you say there were 200 employed?—I do not know.

10818. Might there be 300?—I do not know.

10819. Four hundred?—I do not know.

10820. Can you say there were not 500?—I cannot say from my own knowledge.

10821. From what you have heard?—I have not heard.

10822. I want to know from the estimate you formed?—My duty was in Monk ward, and being anxious for the election of Mr. Dundas, I gave my attention to that.

10823. Did not the band come into Monk ward?—Yes, but I think it came in sections.

10824. They divide them into sections?—Yes.

10825. Was there a considerable number employed?—Yes, there was.

10826. Do you know a person of the name of Thomas Benson, a chain-maker; did you pay him anything on the Monday night previous to the election?—I do not know. I think I gave some money to Mr. Bennet to get the messengers refreshment during the day; he was on the committee, and he might take the money.

10827. You remember paying him 3 *l.* on Monday night, and 5 *l.* on Tuesday evening?—I do not know the amount; the course we pursued was the following: to save expense, we determined to have no public-house accounts, and I gave the gentleman a few pounds to pay for a few glasses of ale, and bread and cheese, and nothing else; and in order to save expense, we pursued that course, and we had not a single bill for Monk ward; whether he took the money or Mr. Bennet, I cannot charge my memory.

10828. Was this given to be spent among the messengers, whatever the sum was, in drink, and so on?—I did not suppose they would drink it all; they spent a part in bread and cheese, but they never rendered me any account.

10829. Did

10829. Did you tell them they need not?—No, I said nothing about it; the sum was only small; they had their own discretion whether they spent a considerable portion in drink, or in bread and cheese and drink.

10830. Was it as much altogether that you gave to Benson as 14*l.* or 15*l.*?—Nothing of the kind.

10831. Can you tell us what it was?—No, I cannot, I have no account; but I can recollect that all the expenses of Monk ward for bringing in the out-voters from the nine villages, and paying for the committee-room, and the money given to different members of the committee, for the purposes I have spoken of, was a little more than 40*l.*; we took up all descriptions, the lame and maimed in sedans and cabs, which cost a little more; and I am certain that the whole of the expense was something above 40*l.*, but under 50*l.*

10832. You would not have set down the maimed and lame as messengers?—Not one of them to my knowledge.

10833. You do not remember the amount you gave to Benson?—No, I really cannot.

10834. That was given over and above the payment of 5*s.* a day?—Certainly.

10835. You do not remember having said as to the petition that it was all nonsense?—No; but I beg to state one thing; Mr. George Hudson has given evidence here that I told him I paid 100 voters 1*l.* each, and plumpers 2*l.* each, as the newspapers stated it, and, without any reserve, I deny it *in toto.*

10836. You only paid 78; you paid Radge 2*l.*?—I paid Radge at two different times.

10837. He voted a plumper?—He was not paid for plumping, but for services.

10838. It does not follow, in your mind, that if a man plumps and receives a larger sum, it is for his voting and not for his services?—If the service is not to one and the same extent, I am at issue with you.

10839. Supposing the plumpers are employed a longer time, and are then paid a larger price, you would not draw an inference they were paid more for plumping, but for the greater service?—I should draw an inference that they were paid for plumping.

10840. And you draw that inference in Radge's case?—No, he was paid for his service; Mr. Hanson told me he was employed upon the canvass for seven days; there are many plumpers that are paid 1*l.*

10841. Radge was paid 2*l.*?—Yes, and he would have been paid that if he had not plumped; that is the exception.

10842. You had not a great many plumpers?—Not so many as Mr. Lowther had; we did not pay them so well.

10843. Was not there a better reason or as good a reason for Mr. Lowther having a greater number of plumpers, he being the only Conservative, and there being two Whigs?—Yes, I think that a very fair inference.

10844. That would be a mode of accounting for it?—That is one mode; there are more modes than one.

10845. Why should you take the most uncharitable; when was it you paid those men?—I am sure I cannot say, there is no date to it.

10846. Can you recollect how long it was after the election?—I cannot say.

10847. How long before the sovereign letters went round?—About a week or ten days; but we paid our messengers before the sovereign letters went round.

10848. Mr. *Hill.*]—Was the whole of that money paid by yourself?—Yes.

10849. *Committee.*]—Those three or four other plumpers, did you pay them their 2*l.*?—No, only Radge, and he was paid at two different times; I paid him for the four days first.

10850. The other three plumpers you paid only 1*l.*?—£.1.

10851. Would Radge have been employed more than four days if he had not been a plumper?—Yes.

10852. His being a plumper made no difference in the number of days he was employed?—No.

10853. Or the sum paid to him?—No.

10854. Mr. *Wrangham.*]—How came you not to give Mr. Barkley a helping hand with those messengers?—I considered I was a free man, and had a right to do what I pleased; I rendered my services gratuitously, and I would have subscribed to return a man of my politics without expense.

10855. You have not said why you did not give Mr. Barkley your services?—I am a freeman.

10856. I ask you why you did not assist Mr. Barkley?—I gave my personal services to Mr. John Dundas.

10857. Did you not canvass at the same time for Mr. Barkley?—Yes; and I could have assisted Mr. Lowther if I had felt disposed, but I did not.

10858. Was your reason for not supporting Mr. Barkley the same as for not supporting Mr. Lowther?—No, certainly not; Mr. Lowther in private life is as respectable a man as any I know.

10859. Had Mr. Barkley and you any meeting?—I had an interview with Mr. Barkley about his resigning, and he met me a little cavalierly; but though there was a little personal vindictiveness exhibited by him, I did not think it right to withdraw my vote, having promised him.

10860. Would you have voted for him after this interview, if you had not previously promised him?—I confess, that having given my promise, I did not like to run away from it.

[*The Witness delivered in a List.*]

10861. At the interview with Mr. Barkley, did you proceed to something of a quarrel?—Mr. Barkley has a very hasty temper, and got out of temper.

10862. Was he uncourteous in his manner to you?—I think he was.

10863. There was nothing of his laying his hand upon your collar?—He took hold of my coat on one side, and expressed himself rather strongly; not with any design of insulting me.

10864. Did he not say something about you ought to stand yourself?—Yes, he did.

10865. Was there some squabble between Mr. Dundas's friends and Mr. Barkley's friends?—I think that interview took place in consequence of Mr. Barkley wishing to form a coalition with Mr. Dundas; we objected to that, and left every person to do as he pleased; and when he found they would not coalesce with him openly, he got hasty, and said he would resign.

10866. He did resign?—Yes, I believe he did; he took a note to Mr. Lowther's committee-room; I did not see the note.

10867. How came he to say to you, "Why do you not go and stand yourself"?—It was done hastily.

10868. It was rather as a taunt; you had no intention to do it?—I had no intention myself, and the people of York have more sense than to call upon me.

Cross-examined by Mr. Hill.

10869. You say, that when setting down was proposed, you bargained that they should be persons who would give actual service?—That was the understanding.

10870. How came you to set down at all?—We required a number of messengers to do certain work; and I am quite free to admit, under different circumstances, that a less number would do; but it is known in York, that setting down without any consideration for it, implies something to be paid subsequently; but we set down for services.

10871. Did you set down according to the customary setting down as it had prevailed, or upon a new principle, for actual service?—Upon a new principle; and as a proof of it, a person of the name of Jackson came to me, and I said I would put him down if he would work; he said, he would not be put down upon that principle; he came after the election to be paid; I said, I would not pay him; he said he had voted for Mr. Dundas for many years, but would not vote for him again.

10872. What was his name?—John Jackson.

10873. Where does he live?—I am sure I cannot say.

10874. Mr. *Wrangham.*]—Do you know his trade?—I think he is a printer.

10875. Mr. *Hill.*]—How long have you known anything of elections at York?—Only the two last elections; I have known them before, but took no part in them.

10876. You have known how elections have been conducted for a long time in York, though you took no part in them?—Yes.

10877. You have spoken of a new principle of setting down; what is the old established principle of setting down?—The old established principle is, if I understand it right, and I think I do, for a great many of my own men have been put down; I never control them; a great many of them plumped for Lowther, and

when

when they got their names put down, it was understood they were to receive a compensation, the same sum as was given to the others, generally 1 *l.* or a guinea for a split vote, and 2 *l.* or guineas for a plumper.

10878. Was it understood that they would receive that money whether they gave services or not?—Yes; I am making this statement from the prevailing opinion.

10879. What trade are you?—A currier.

10880. Then you can tell me, as your own men have been in the habit of being set down, whether the services they rendered, or were supposed to have rendered, made it impossible for you to have employed them?—They generally were at work, except they went out to drink; the understanding was that they got their names set down, and they were to be paid, be it much or little.

10881. Did the steady men generally stay at their work?—Yes.

10882. And the unsteady men would go about with the candidates?—Yes, certainly.

10883. Learning political knowledge from the candidate's speeches. Was it also part of the general understanding of setting down, that those who voted plumpers were paid more than those who gave split votes?—The general rule has been, that the plumpers were paid double the amount of a split vote.

10884. Do you know of any instance in which they received treble?—No, only by report; I never received anything myself.

10885. Did you hear at one election that the plumpers were paid trebly?—I never learnt it till I came to London.

10886. Now let me ask you whether you do not think the plan of setting down, even under the restrictions you have put upon it, to be a great evil, and leading to great corruption at elections?—I think, to a moderate extent, messengers are necessary; I do not see how it can be carried on, under existing circumstances, without employing some messengers. If you send out 300 or 400 notes, the members of the committee cannot go out themselves; you may employ non-freemen, certainly.

10887. If services were the sole object for which the men's names were set down, persons not voters might just as well be employed as persons who were voters?—Unquestionably.

10888. If the object was to obtain the services of the parties, would not the most active and the most useful, and the strongest and bravest in times of danger, be taken before others?—A lame messenger is a very bad one, and a blind one of no use.

10889. I ask you, before your setting down the last time, did you ever hear of persons being refused by a candidate to be set down because they were lame or blind, or incompetent to the service of messengers, if they had votes?—Never.

10890. I need scarcely ask you, with the exception which you have mentioned of your own case, is the general rule, according to the general understanding of the York people, that setting down is a mode of holding out an expectation to the voter that he will be paid for his vote?—Undoubtedly.

Re-examined by Mr. Wrangham.

10891. All you know about the general rule and general understanding, when you have no concern about it, arises from common rumour and report?—Yes.

10892. All you know about your own practice at the last election comes within your own knowledge?—Yes.

10893. You can speak to the one with ten times the precision that you can to the other?—I speak to the one with certainty, and the other is based upon report.

10894. I believe report is never a very good informant, particularly election reports; election reports come magnified?—They frequently get exaggerated.

10895. Rather exaggerated than softened?—Yes; but I know that my own men have often got money.

10896. So did your men you set down?—Yes.

10897. This man Jackson did not go and vote for Mr. Lowther?—He plumped Mr. Dundas; he told me he had voted for him; I think he plumped for him.

10898. In the case of the man who would not work as a messenger; he does not appear to have been set down by the other party?—I do not know that he was.

10899. When you speak of the present system, under which you think this number of messengers is necessary, do you mean the present law as regards the conduct

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conduct of elections?—I speak more of the manner of conducting elections at York, not of the law generally, but the practice at York.

10900. When you say under a different system so and so might take place, you are taking into consideration the alterations and improvements, such as taking the vote by ballot and other modes?—Yes.

10901. By which the messengers might be diminished?—Yes; they would be of no use then; the party would not know who a man would vote for.

10902. He would know, the messenger?—If you put down a man as a messenger you pay him for his service, but if you pay a man for his vote, how are you to know which way he votes?

10903. Would you not want the services of those put down, like this list of yours for actual service; in what way would the vote by ballot diminish the necessity for those services?—We should not have 400 or 500 of these notices to send out; we should not know who they would vote for, the Tory or the Liberal; nor should we want men to take them up to the poll.

10904. Do you not think you know pretty well how a man will vote before he goes up to the poll?—A man may change his opinion.

10905. So a man may who has promised you his vote?—I will give you an example: a young man of my own, who had always voted on the Liberal side, in 1830 he fell into the hands of the opposite side, and that young man was made tipsy and voted the other way; that is by report; but this I do know, that the young man who had voted for the Liberal candidate, when he was drunk, he said he voted for Mr. Lowther.

10906. Might not that happen if he had been to vote by ballot; he might not know on which side the ball fell?—It might fall on the right side.

10907. Would not the messengers be wanted to take up the voters to the poll as much then as now?—No; I have told you there would not be these notes to send out, and in taking them up to the poll now, means are taken to divert them from their purpose; report says so; I saw nothing of the kind.

10908. Do you not think that a man who went up to vote by ballot might be entrapped and induced to put in a blue ball instead of an orange one?—Yes; but the Liberal party might get a sovereign as well.

10909. That is one of the benefits you expect; you think they might get a sovereign?—They might get some.

10910. You think that a benefit?—I would avoid it. Some of them might, perchance, get it.

10911. You think that an advantage?—That is not the question; I think it would be a death-blow to everything of the kind.

10912. But these messengers of yours received a sovereign?—Not for voting; numbers of men applied to me to be paid for voting, but I would not pay them.

10913. Out of the 73, 71 did vote for you and were paid?—Yes; not for voting, but for service.

10914. Do you not think it just as possible that on the other side of politics men may be paid for service as well as for voting?—I am ready to admit that.

Examined by the Committee.

10915. You put down 73 persons, and their services were all wanted?—They were employed.

10916. *Bonâ fide* employed?—Yes, to the best of my knowledge; I found out one man that did not work, and I did not pay him.

10917. You would not be so particular in inquiring whether these men did work, as you would in your business as a currier?—My capacity of chairman in the committee required my attention in the house, and I could not see the men, and upon the sub-committee rested the responsibility of the men not working; if any had been reported to me as not working, I should not have paid them.

10918. And more vigilance might have diminished the number?—I stated, under different circumstances, a less number of messengers might do.

10919. But under present circumstances, with a more vigilant inspection they could have done the work with less than 73?—I do not mean to say that as to two or three or half a dozen.

10920. Do you mean to say that of 20?—We employed these men, and we were bound to pay them for their work.

10921. If 10 more men had offered themselves should you have put them down?—

down?—I do not know what I might have done; I have told you what I did; if I had put down 10 more, I should have required them to have exerted themselves.

10922. If 10 more had offered themselves, should you have refused them?—Not if they had agreed to work.

10923. Would you have asked if they were voters?—No.

10924. Should you have taken means to ascertain, before you put them down, whether they meant to give their votes to Mr. Dundas?—I should not, if I pursued the same course that I did with reference to the others.

10925. Do you mean to say that if 10 other persons had offered themselves, that you, without inquiring as to the way they meant to give their votes, would have set them down?—Yes, I should; I never asked one man for his vote during the election, and I would take my oath of it if it was tendered to me.

10926. Had you not a knowledge how they meant to vote?—I never thought that a man who would vote for Mr. Lowther would come down to Mr. Dundas's committee-room.

10927. You calculated upon them as voters for Mr. Dundas?—Yes, undoubtedly.

10928. If 10 more had come you would have put them down?—Yes.

10929. If 20 more had come would you have put them down?—No; I concede the point to meet your argument.

10930. You considered 73 fully sufficient for all purposes?—Under different circumstances less might do.

10931. Under the circumstances of the last election, did you consider 73 messengers quite a sufficient number for all the work you had to do?—If 10 more of Mr. Dundas's friends had come down and wished to be employed I should have employed them, for this cogent reason that if I had not Mr. Lowther would.

10932. Did you consider 73 enough for all the work you wished them to do?—I think less might have done it; but if I had refused any of those men that came to be put down as messengers, with an understanding that they were to render their services, if I had not taken them and employed them, it was a fair inference that they would have been employed by Mr. Lowther, and Mr. Dundas would have lost their votes.

10933. Did you consider 73 a number amply sufficient to do the work of the election in Monk ward?—In point of carrying out letters, they were quite ample, and in getting up votes they were quite ample; but if 10 more had come and said, "I cannot work during the election, I must be employed;" if I had not put them down, they would have gone over to Mr. Lowther.

10934. You would have put them down without having any occasion for their services?—I would have made them work, going about getting up voters.

10935. Do you mean to say you would have taken 10 more, but not 20 more?—I have not said so.

10936. Would you have taken 20 more?—You may carry it to any extent.

10937. Would you have taken 100 more?—No; that would have been too barefaced.

10938. You would not have put down 100 more if they had offered to do work?—No, I could not have got over that; I think every member ought to be returned free of expense.

10939. Do you mean to say your conscience would let you get over 73 or 83, but would not stretch itself to 103 or 123?—I do not like to stretch my conscience.

10940. How do you reconcile what you have said of having a sufficient number of messengers when you put down 73, with saying that you would take 10 more rather than lose their votes?—I have told you, that if 10 more had come, it is more than likely, indeed, I verily believe I should have put them down, on the consideration that they should render their services. You have put the question whether 73 would not do the work as well as 83; I say, we secure their votes by it.

10941. Supposing 10 more had offered themselves, making 83, should you not have had the same object?—We could not have more than the ward contained; we only took them from Monk ward; and if any men had come from Mickle-gate ward, or any other ward, we should have said we have nothing to do with you.

10942. If 10 more voters had come to you from Monk ward to ask to be employed, should you have employed them?—I do not know what I should have done, unless the circumstances had presented themselves to me.

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10943. If 203 had offered?—There are not that number to offer.

10944. Is that the only answer you can give?—I cannot say what I should do under those circumstances.

10945. It is not principle that would have prevented you?- I could not have put down the number you speak of.

10946. You say, under a better system, there would not be occasion for so many messengers and runners, but there would be occasion for the services of some?—I think so.

10947. In taking that limited number, should you have given the preference to persons on your side in politics, or take them indifferently?—I would take my political friends in preference.

10948. In the excitement of an election, would you be very particular not to take a single man more than you found you wanted, under the best system you can suppose to exist?—My opinion is, that members ought to be returned free of expense.

10949. But you would require a certain number of messengers?—Yes.

10950. Who would pay the messengers?—I have offered to pay them myself.

10951. You would have a member returned by subscription?—Yes.

10952. That is what you mean?—Yes.

10953. Suppose that persons were anxious for the success of their candidates, and the number of messengers they thought necessary should be 20, and five more should offer themselves, good and staunch friends, who would feel disappointed if not employed, would they refuse them?—We should get it done gratuitously, as it was done in Mr. Thomas Dundas's election; we have tried the purity system in York, and it will not work well.

10954. Do you think the men who carry out the notes ought to be paid?—If there is any setting down the thing is different; if the men know there is any setting down, there is something expected.

10955. Do you think that men *bonâ fide* employed at hard work from morning to night, labouring men, should go without pay?—No, they should be paid; but we had one noble instance in which a man would not receive any pay.

10956. What should you think of a legal professional agent; do you think he ought to be paid; is there any corruption in that?—It is a matter of opinion. I am no lawyer, and have nothing to do with making the laws.

10957. A legal agent; do you think it is fit he should be paid for his services?—I cannot conceive that it is essential to have a legal man at an election. I think laymen, that is, men not in the profession, can manage it, with all deference to the lawyers.

10958. Are there no points connected with an election where it is necessary to resort to legal advice?—It may be.

10959. Should he not be paid?—I do not know that it is wrong.

10960. Is there anything wrong in paying a messenger?—No, I do not think there is.

10961. In the circumstances of an election, you would not think it very extraordinary if a greater number of men than was absolutely wanted was put down and paid?—I do not understand the question.

10962. Supposing it to be correct to pay persons for their services as messengers or runners during an election, or in any other way, if 20 were necessary to be paid, and five others should present themselves as friends to your cause, who would be disappointed if not received, would you reject those five men, under the best system?—I am sure I do not know; it is a matter of policy to employ them; but if the service does not require it, it is a waste of money.

10963. Do you not think during the conduct of an election it is natural that there should prevail a system of taking a greater number of messengers, such as I have described, than would be absolutely necessary?—It is not at all improbable.

10964. Would not it depend upon the degree of rigid economy with which the agent conducts the election?—Yes.

10965. Would not a committee zealous in the cause, but not very economical, be induced to take a greater number of men than a committee that was more strict and rigid?—Where money is no object, the expenditure at an election has a certain effect, it secures votes of a doubtful quality.

10966. Do you not think, upon the whole, that the representation of the city York is better for being entrusted to a person of fortune than a man without fortune?—

tune?—I do not know that it is safer in the hands of a man of 100,000 *l.* a year than a man of 10,000 *l.* a year.

10967. But you consider that a certain amount of property is necessary to qualify a man for representing York, rather than that it should be left to a man of slender fortune?—The law requires him to be worth 300 *l.* a year; he ought not to be worth less, but a great deal more.

10968. Then a man of large fortune coming into a contest would be less regardful of the money paid than a man of slender means, and he might be so without any improper motive?—If he was not corrupt himself in his intention, the effect of the money might corrupt others.

10969. I am speaking of this, whether a man of large fortune would not be more likely to let his money go with a less rigorous economy than a man of slender fortune?—Yes.

10970. You have spoken of reports during the election, and that many were exaggerated; if it had been reported of you that you had paid two different bodies of men who had voted a sovereign each, and two sovereigns for a plumper, that would be an incorrect and exaggerated account?—Both incorrect and exaggerated.

10971. If you had heard similar accounts of sums paid, and the numbers paid on the other side, might not that be exaggerated?—Very possibly.

10972. Is it not natural that, during the excitement of a contest, these exaggerations should take place on both sides?—Nothing is more common.

10973. Do you not believe that there is an implied contract in the setting down, for the voter to give his vote for money; an implied contract between the party put down, and the party putting him down, that he shall receive so much money for his vote?—I am not aware of that.

10974. Do you believe that the person set down does not expect to be paid?—If you speak of the men put down.

10975. I am speaking of the practice in the city?—Yes; and if a man departs from the system pursued; if a man was put down for Mr. Lowther, or Mr. Dundas, if he did not vote for the man who put down his name, he would be considered to have forfeited his pledge.

10976. That is an advantage held out to them?—Yes, no doubt of it.

10977. When you speak of the setting down generally, you speak of what you have heard from report?—Yes.

10978. You did depart from that in the system you practised?—Yes.

10979. That is not a payment for a vote, but what you have heard of is the practice of paying for a vote?—Yes; I do not know that.

10980. Have you not distinguished it into two kinds of compensation, one for services, and the other for votes?—The one I know myself, and the other by report.

10981. Did you not tell a man, who came to ask to be put down, that without services you would not put him down?—Yes.

10982. What was his answer?—That he would not be set down.

10983. How did that man vote?—I think for Mr. Dundas. I think he plumped for Mr. Dundas; and after he had voted he came to me to be paid. I told him I had offered to put him down, and he refused.

10984. Did you feel that every man who was set down ought to have been paid?—Yes; and I said before, if Mr. Dundas had not paid them, I should have paid them with my own money.

10985. You would not have liked to have set down 500?—No, I should not.

10986. Mr. *Wrangham.*]—Could you have found 500 in your ward?—No, there are not so many.

10987. Was there in point of fact any instance of a person coming to you, and asking to be set down, expressing his readiness to do service, and you refused him?—I am not aware of one.

[The Witness withdrew.

Jovis, 3° die Septembris, 1835.

PHILIP PUSEY, ESQUIRE, IN THE CHAIR.

Peter Theakston was called in; and Examined by Mr. *Wrangham*, as follows:

Peter Theakston.

September 1835.

10988. ARE you a voter in York?—Yes.

10989. For whom did you vote at the last election?—Dundas and Barkley.

10990. I believe you are in the service of Mr. Sheriff Hanson, are you not?—Yes.

10991. At the last election in 1835 were you employed by your master to pay a number of persons?—I was ordered to do so during his absence.

10992. By whom?—By his orders.

10993. What were the persons that you had to pay?—Messengers.

10994. Persons who had been employed as messengers during the election?—Yes.

10995. Had you any list delivered to you of these?—Yes.

10996. What has become of that list?—I believe it is destroyed for anything that I know. I gave it to him.

10997. You gave it to your master?—Yes.

10998. Were those messengers in Bootham-ward that you paid?—In Bootham and Monk-ward.

10999. Though you have lost the list, can you tell us pretty nearly the number upon that list?—Indeed I cannot; I paid about 40 or 45, to the best of my recollection.

11000. I am speaking of the list?—I never counted them.

11001. But you remember how many sides the paper would fill, and therefore you can calculate pretty nearly?—Perhaps 60.

11002. Look here, was it a list like that?—It was not so big.

11003. Was it drawn up in the same way, marked with those letters and columns?—Yes.

11004. Will you take upon yourself to say that there were not 160?—No.

11005. You will not?—No.

11006. I ask you whether you take upon yourself to say that there were not 160 upon that list?—I never counted them; I do not know.

11007. You cannot say that there were not?—No.

11008. Do not you believe that there was a number amounting to about that?—No.

11009. You do not?—No, I do not believe it.

11010. But you will not take upon yourself to say that there were not that?—No; I will take upon myself to say that there were not 100.

11011. How came you to say just now that you would not say that there were not?—I can tell pretty near what the list was.

11012. How came you to say that you would not take upon yourself to say that there were not?—I did not know what you meant; I did not understand you.

11013. Do you know what I mean now?—Yes.

11014. Will you take upon yourself to say that there were not more than 60 upon it?—Yes, I think there would be more than 60.

11015. How many more do you think there would be, 100?—No, I do not think there would.

11016. How far short of 100; remember, you are to tell the Committee what is your real belief?—I do not believe that there was 100; to the best of my recollection there was not.

11017. You know what you were to come here to prove, I suppose?—Yes.

11018. Have you not had an opportunity of recollecting, so as to tell with more accuracy than you have done, what the number was?—I should think about 100, by the size of the paper.

11019. A hundred that you paid?—I paid about 40 or 45.

11020. But upon the list there were about 100?—I think so, from the space of paper.

11021. Who

Peter Theakston.

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11021. Who paid the list?—Mr. Sheriff Hanson.

11022. Mr. *Hill.*]—Were you by when he paid?—Sometimes.

11023. Mr. *Wrangham.*]—Mr. Hanson was the seconder of Mr. Dundas, was he not, on the nomination? Were you present on the nomination?—Yes.

11024. Who made the two speeches in putting Mr. Dundas in nomination?—I do not recollect.

11025. Do you recollect whether your master made a speech or not?—No, indeed, I do not; I was not there when he seconded; I was there when Mr. Barkley made a speech; I did not hear Mr. Dundas speak, or the gentleman who seconded him.

11026. Who seconded him?—I do not know; I was not there.

11027. Do you mean to say that you have no knowledge of who seconded Mr. Dundas?—No, I have not.

11028. And you do not know that your own master seconded him?—No, indeed I do not.

11029. From whom did you get the money that you paid those men with?—Out of the draw, I had the key of it, Mr. Hanson's. I was to pay such men during his absence as were on the list.

11030. Those were the instructions to you?—Yes.

11031. Such men as came as were on the list?—Yes.

11032. Did you take it out of the till?—No, out of the desk.

11033. Which you had access to?—Yes.

11034. Supposing the people on the list should not come to claim their pay, what were your instructions to do, to go and pay them?—When they came they said, "I understand you pay Mr. Dundas's messengers?" I said, "Yes, sir; what is your name?" and I looked to see if their names were all right upon the list, and I paid them if it was.

11035. Supposing that any one on the list should not have come, were you to go to them to pay them?—No, I never did.

11036. Do you know a person of the name of Sanderson, in Peter-gate?—Yes.

11037. Did you go to him?—I took upon myself to pay those men in my way, as I was going to Peter-gate.

11038. Then you did call upon them?—Yes.

11039. How many were there?—Eight or nine.

11040. How came you to say that you never called on any one of them?—Those men I did.

11041. Were they nine tailors, that you make only one of them; because you say you called upon only one of them, and now it appears that you called upon nine?—Yes, nine; I had no orders to do so.

11042. Can you tell us the names of the parties, the nine you called upon; you must have some recollection about it?—There were three Meeks.

11043. Are those the Meeks in Gilly-gate?—Yes.

11044. What are they, carpenters?—Carpenters.

11045. Richard Meek, John Meek, and Silvester Meek?—Yes, those are the men.

11046. Then there is George Meek, a carpenter, in Gilly-gate?—There were three, I think, that I left money for.

11047. Which of the Meeks was it, because here are some in Gilly-gate?—Silvester was one.

11048. He voted for Dundas and Barkley; was Richard another?—Yes.

11049. He voted for Dundas and Barkley; was John Meek or George Meek the other?—I think it was John.

11050. He voted for Dundas and Barkley; then you do not remember having paid George Meek, who voted for Dundas?—No.

11051. Then there is Sanderson, besides the Meeks?—Yes.

11052. Is that Robert Sanderson?—I forget what his Christian name is.

11053. Was he a baker?—There is one a baker.

11054. Was that the man that you went to?—Yes; there is another a painter, and another a waiter.

11055. Three of them?—Yes.

11056. There is Robert Sanderson, waiter, Peter-gate, and William Sanderson, a joiner, in Bootham-ward; and John Sanderson, junior, a baker?—Yes.

11057. You paid those three?—Yes.

Peter Theakston.

3 September 1835.

11058. Who are the other three?—One Jowett, a butcher, in Gilly-gate.

11059. Edward Jowett, a butcher, in Gilly-gate; he voted for Dundas and Barkley; is that it?—Yes.

11060. Now for the eighth?—He lives at the bottom of Gilly-gate, but I do not remember where.

11061. Where do you live in Bootham, is it outside of Bootham-bar?—No, I live with Mr. Hanson.

11062. Who is that man who lived in Bootham-square, one of the Sandersons?—Yes, he works at our shop; I paid his brothers.

11063. The eighth one you say lived at the bottom of Gilly-gate; where does the ninth live?—He lives at the bottom of Gilly-gate, one of them; the other lives half-way, he is a lame old man.

11064. Was he one of the messengers?—Yes.

11065. Was it Bell?—No.

11066. Or Burtcell?—Mr. Richardson perhaps knows his name, he goes on a stick.

11067. Was it Burtcell?—I do not recollect his name at all.

11068. Would you not recollect it if you heard it?—No.

11069. Just look here, here is Gilly-gate; cast your eye over this, and see whether it is one of those?—[*The Witness looked at the List.*]

Mr. *Charles James Hanson*, called in; and Examined by the Committee, as follows:

Mr. *C. J. Hanson.* and *Peter Theakston.*

11070. YOU have lost the list?—I returned it to Mr. Wood before this investigation, or anything like it; I returned the list to Mr. Wood.

11071. Do you know that he has the list?—I have no doubt about it that it can be had, if Mr. Wrangham wishes it.

11072. Mr. *Hill.*]—Did you state, that when you were summoned, that you had returned the list?—They never asked me the question; I made no statement whatever.

11073. *Committee.*]—There were two lists, one in Bootham-ward and one in Monk-ward?—Yes; the Monk-ward list was given to Mr. Sheriff Meek; I extracted from that list names that he did not pay, and I paid those among my own wardmen; I took it in my own hand-writing.

11074. That list is destroyed?—I cannot say.

11075. What became of the list in your own hand-writing?—I think Mr. Sheriff Meek has it.

11076. Did you look for it?—I did; I have no papers whatever.

11077. As you doubt the existence of this second list, it would be for the convenience of the counsel and the Committee and yourself if you will endeavour to refresh your memory before you come in, and put down the names of those you cannot recollect?—I cannot recollect many of them; but I have very little doubt that the list is with Mr. Wood; I do not think that I have destroyed it.

11078. Mr. *Wrangham.*]—If you take the copy of the poll-book, that might assist you?—My young man might assist me, for he paid some as well as myself; but I am all but certain that Mr. Wood has both the lists.

11079. (To *Theakston.*)—Have you been able to make them out?—No.

11080. Was Peter Holden on your list?—Not to my recollection.

11081. John Ringrose?—I do not recollect.

11082. A pauper of Christ parish?—I do not recollect him.

11083. He lives nearly opposite to your master; there is a place called Britain's-passage, he lives up that?—Yes, I recollect that man.

11084. Was he on the list?—Yes.

11085. Did you pay him?—Yes.

11086. What amount did you pay to each of them?—£. 1.

11087. All of them had 1 *l.* a piece?—Yes.

11088. None of them had 2 *l.*?—No, none that I paid.

11089. Are you aware whether there were any on the list that had?—No.

11090. Were there none who had had eight days running instead of four?—None that I paid.

11091. On the list?—I do not know that I paid them more than four days as messengers, those names that were on the list.

11092. Were

11092. Were those your instructions to pay each man 1 *l.*?—If their names were on the list, I did.

11093. Had you any instruction to pay double that sum, if a man said he was employed double that time?—No, I never did it myself.

11094. Do you know whether your master did it?—I was not in his presence if he did.

11095. Have you heard it?—I have heard it, and heard it disputed.

11096. Have you heard your master deny that fact?—Yes.

11097. Whom did you hear assert it, some person that got it?—Some person that has not got it; they found fault, and said he was eight days messenger; and master said, I cannot pay you.

11098. Do you remember the name of any person who so complained?—No, indeed, I cannot; he was abused by a great many.

11099. Was he abused by those persons on the ground of their having been eight days messenger?—Yes, six days.

11100. They did not abuse him on the ground of their having given plumpers?—No.

11101. Not a word was said upon that?—No.

11102. Were you asked to sign this petition, or either of them?—Not that I know.

11103. But you must know, one way or the other, whether you were?—I do not recollect.

11104. Cannot you tell us whether you were or not applied to to sign it?—Indeed, I cannot.

11105. Do you mean to tell us you have no recollection whether you were asked to sign that petition or not?—No.

11106. *Committee.*]—You must recollect whether you were asked to sign the petition or were not?—Do you know who took it about?

11107. Mr. *Wrangham.*]—Mr. Clemisha took it about for one?—No.

11108. *Committtee.*]—Do you interfere in politics?—No.

11109. Do you remember that you were not applied to?—I do not remember.

11110. Whether you were asked or not to sign the petition?—No.

11111. Mr. *Wrangham.*]—Do you remember nothing about the election?—No, I do not trouble myself with them.

11112. Did you never see the petition in your master's shop?—No.

11113. Did a person of the name of Mitchell ever bring it to you?—No.

11114. *Committee.*]—As you say you do not take a part in politics, anything like politics in this petition would be more likely to make an impression upon your mind; recollect yourself, and say at once whether you have or have not been asked to sign the petition?—I do not remember being asked.

11115. Mr. *Wrangham.*]—Would you have signed it if you had been?—No doubt I should.

11116. Have you been asked; cannot you recollect?—Indeed, I cannot.

11117. Do you happen to know whether there were any petitioners who have forgotten whether they signed it or not? Do you mean to tell the Committee that you have no recollection as to whether you were ever asked to sign it or whether you have signed it; is that what you mean to tell the Committee?—Yes.

11118. Did you ever read it?—No.

11119. Never?—Never.

11120. Did you ever hear it read?—No.

11121. How came you to say that you would have signed it if you had been asked to do so. You never read it or heard it read, and yet you say that you would have signed it if you had been asked; is it your habit to sign petitions without reading them?—I should not have signed it without reading it.

11122. How can you tell then that you would have signed it if you had not read it?—(*The Witness made no answer.*)

11123. There is the name of Frederick Reynold in Gilly-gate, a man who carries parcels for Wilson's bank?—I do not know the man.

11124. Mr. *Wrangham.*]—You had better go out and help your master with your memory.

[The Witness withdrew.

Mr. *John Storry*, called in; and Examined by Mr. *Wrangham*, as follows:

Mr. *John Storry*.

3 September 1835.

11125. ARE you a voter at York?—Yes.

11126. How did you vote at the last election?—For Mr. Dundas.

11127. A plumper?—Yes.

11128. You were formerly in trade as a hatter, were you not?—Yes; I am now.

11129. A warm friend to the Dundas interest at York, are you not?—Yes; I generally vote for Mr. Dundas.

11130. But you do a little more than vote for him?—A very little.

11131. What did you do at the last election for him besides voting?—Set down freemen's names.

11132. That is something in addition to voting yourself; where was it that you set down freemen's names?—At the White Swan.

11133. Is that Lockwood's hotel?—Yes.

11134. Was that where Mr. Dundas's central committee was?—Yes; not near to the committee-room; some distance.

11135. But it is in the same premises?—Yes.

11136. By whose direction did you set down?—Mr. Sheriff Hanson.

11137. How long were you employed in taking down names?—About a fortnight.

11138. About a fortnight previous to the election?—No, I did not begin till the latter part of the week.

11139. The latter part of the week?—Yes; in the latter part of the week Mr. Dundas commenced his canvass.

11140. One week or two weeks before the election?—I do not recollect; perhaps a fortnight.

11141. Did you begin towards the latter end of the week to set down?—Yes; I think it was towards the middle of the week, or the latter part.

11142. About Thursday?—Yes, about Thursday or Friday; and he commenced on Tuesday to canvass.

11143. How long was it from the time you began to set down till the time of the election?—About a fortnight or three weeks, I think; but I was not there all the time; I was there occasionally.

11144. But you were there in the beginning of it?—Not exactly at the beginning; perhaps two or three days after Mr. Dundas had commenced his canvass.

11145. At the beginning of the setting down you were there?—Yes; I did not hear that any other person had been employed before.

11146. Then you began setting down on the Thursday, or about the middle or the latter end of the week?—Yes, about the latter part of the week.

11147. That was nearly a fortnight before the election began?—Yes.

11148. There would be an entire week before the day of election?—Yes.

11149. How long was it before or after Christmas-day?—It was before Christmas-day.

11150. Can you tell us how long before Christmas-day?—I was not there all the time. Mr. Dundas canvassed York, and then he left the place for some days, and he returned again. I did not attend the room every day, but just a little at first.

11151. How long was that little at first?—Perhaps a fortnight.

11152. Before Christmas-day?—Yes, I think it was; I cannot exactly say.

11153. Was it in the early part of December?—Perhaps about the 15th; I cannot exactly say, I did not make any memorandum of it, and I cannot exactly say to two or three days.

11154. The election was on the 6th of January?—I think it was.

11155. Was it your business to set down the messengers whose names were taken down at the central committee-room?—I am sure I do not know; I took all freemen who intended to vote for Mr. Dundas, I took them down, and there was a great many of them objected to have their names put down unless I could promise them something for that, and I told them that I was not authorized to make any promise whatever; I did not know that they would get anything, but if there were any messengers wanted, that they would perhaps be appointed.

11156. Then do I understand you that you did not set them down as messengers?—No; many of them came to have their names put down as promises for Mr. Dundas.

11157. This

11157. This was in fact setting down?—Yes, certainly, setting down.

11158. Is your understanding of the word setting down, taking down the names of those parties who gave a promise to the candidate?—Yes, certainly.

11159. Is that your understanding of the term setting down?—I dare say those freemen that came to have their names put down expected to get an appointment of that kind; they are generally the lower orders of freemen, men that perhaps have not much to do, and so if they can get a little that way, I suppose they wish to be employed as messengers.

11160. Supposing that you had not been the person engaged in this, and that you had heard that Mr. Dundas was setting down, what would have been your understanding of that term; what would you have understood that Mr. Dundas was doing when you heard that he was setting down?—The persons when they came did not ask, and did not wish to know what they were to have, and never asked at all what they were to receive for it, and I did not tell them; they promised to support Mr. Dundas.

11161. Would you have understood from hearing that Mr. Dundas was setting down, that he was taking down the names of those who chose to enrol themselves as his supporters?—Yes.

11162. That would be your understanding, if you heard it?—Yes.

11163. Is that the meaning that you attach to the term setting down, taking down the names of the persons who are willing to become supporters of Mr. Dundas, recording their promises in that way?—Yes.

11164. You tell us also that out of this list messengers would be taken when messengers were wanted?—Yes, certainly, that was the understanding at the time; if any messengers were wanted, that they would be selected out of those names.

11165. And that is the explanation that you would give of the phrase setting down?—Yes.

11166. You say that you were not there all the time that the setting down went on?—I was there during the time that there was any person there during the election. I was not there every day, but the early part of the time.

11167. What did you set down in?—In a small book.

11168. Have you got it?—No, I gave it to Mr. Hanson.

11169. Mr. Sheriff Hanson?—Yes.

11170. Can you tell us nearly how many you set down?—About 300; about 100 went away, because I would not promise them; they said that they had been deceived before by a candidate, and got nothing by their names being put down, and therefore they objected to being set down for Mr. Dundas, unless I could tell them what they were to have; and I told them that I was not authorized to make any promise whatever, and I did not know that they would get anything, but that they would be employed in case they were wanted; that the select committee would choose those of the freemen's names which I put down, those who were anxious to be messengers.

11171. Do not you think that there might be nearer 500 than 300?—About 300.

11172. Do not you think that there might be nearer 500 than 300?—No.

11173. Did you count them?—Yes, they were counted; there were about 450, with those that went away, and would not have their names put down; there were about 150 that objected to have their names put down.

11174. What were the instructions that you received from Mr. Sheriff Hanson?—To go to this room and take down the names.

11175. Of what?—Of freemen.

11176. Was that all he said?—That was all that he said, that I was to take that room for putting down freemen's names, which I did, those who would allow themselves to be set down.

11177. You took down the names of all freemen that came?—Yes.

11178. Those you took down at the central committee-room?—It was a small room adjoining in the same hotel.

11179. Those were not confined to any particular ward, but were taken down at general head-quarters?—Yes.

11180. How many days were you employed in this?—I cannot exactly say; perhaps 14 or 16 days.

11181. Were

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11181. Were you paid for your attendance there?—I had a present sent me.

11182. I must ask you what it was?—£. 10.

11183. Who sent you that present?—Mr. Hanson.

Cross-examined by Mr. Hill.

11184. Do I understand you, that when you first began setting down, it was simply those who wished to register their support for Mr. Dundas?—Yes.

11185. You say that a great many would not have their names set down on that principle?—Yes.

11186. Did they express great disappointment?—Yes, they had been disappointed at some previous election; they did not mention any name, but they had had their names put down and expected that they would be appointed messengers, and had been disappointed; and they said, in consequence of that, if I would not make a promise to them, they would go and vote for Mr. Lowther.

11187. Did they not tell you that there was no difficulty about being set down for Mr. Lowther, that they were sure of being paid there?—Yes, they certainly did.

11188. And they went off to the number of 150?—Yes, that at least.

11189. Do you happen to know that many of those did poll for Mr. Lowther?—Yes, a great many of them.

11190. Who told you that they should go, and went away?—Yes.

11191. Do you happen to know whether a great many of them who told you that they should vote for Mr. Lowther, got the sovereign letters?—I do not know; I never had any communication with them after they left the room where I was in the inn, when they said that they would go and vote for Mr. Lowther.

11192. Then I understand you that in the early part of your proceeding in setting down, you made it understood that nobody would be paid except those who did actual service?—Those were to be paid, if they were employed as messengers; there was no promise made to those who were not appointed.

11193. Did you make it understood that those only would be paid who were employed?—Decidedly; I was not authorized to say that they would receive anything for their votes, rather to the contrary.

11194. That is very different from the old plan of setting down?—In electioneering, it is the first time that I ever had an appointment of that kind, and I do not know much about it.

11195. You say that you began after Mr. Dundas began his canvass?—Yes, about the latter part of the week.

11196. But when it was that you began, you do not otherwise know exactly, if I understand you right?—No, I think it was on Tuesday that he commenced, and the latter part of that week I began.

11197. About Tuesday that he commenced his canvass; it was the latter part of the week, Thursday or Friday, that you commenced setting down?—Yes.

11198. You are clear about that, are you?—Yes.

11199. Did you hear at all, at any time previous to the election, that Mr. Lowther was setting down?—Yes, that was the reason that I was appointed there to set down.

11200. Was that told you at the time?—I heard of it.

11201. Heard of what?—I heard that he was setting down.

11202. Were you told, when you were appointed to set down, that that was the reason that Dundas's people set down?—I cannot answer that question.

11203. You have told us that the reason you were set to work was, because Mr. Lowther had begun to set down; how do you know that?—Merely from report.

11204. Report at that time?—Yes.

11205. Did those persons who wanted some specific pledge that they should be paid for setting down, tell you at the same time that Mr. Lowther was setting down?—Yes, that was the reason they made the remark; they said, if I would not make a promise, they would go and be set down.

11206. Did they say they could have a promise or understanding at Mr. Lowther's committee-room?—They did not say, and I never made any reply, and they walked away.

[The Witness withdrew.

Mr. *John*

Mr. *John Slater*, called in; and Examined by Mr. *Wrangham*, as follows:

11207. ARE you a Fellmonger in York?—Yes.

11208. Were you a member of Mr. Dundas's committee at the last election?—I was.

11209. For whom did you vote?—Mr. Dundas and Mr. Barkley.

11210. Were you requested by any one, after the election, to pay Mr. Dundas's messengers in Walm-gate ward, or any part of them?—No; Mr. Wood produced a list, and asked me if I would pay certain voters, and I said I was engaged on that day, and I could not pay them.

11211. Then you were requested?—By Mr. Wood I was requested.

11212. On that day you could not pay it?—No.

11213. Did you on any other day pay any of them?—No.

11214. Then what became of that list on the day that it was offered to you?—It was put into the hands of Mr. Kyle.

11215. Who put it into his hands?—Mr. Wood.

11216. Were you with him at that time?—I was; I met him by accident in the street.

11217. Did Mr. Wood give anything else with the list?—I cannot say.

11218. Any money?—I saw no money.

11219. Did you see a cheque?—I cannot say that I did; it was a day of business with me, and I was there a short time.

11220. Did you pay nothing for Mr. Dundas's election?—Nothing but for 12 or 14 messengers, from the list that was sent to me by Mr. Wood.

11221. Not the list that Kyle had?—No.

11222. What did you pay them?—They were paid for seven days, each 5*s*. a day.

11223. £. 1. 15*s*. a piece?—Yes.

11224. From whom did you get the money to do that?—The money was sent with the names, with the list.

11225. By Wood, was it?—Yes.

11226. As a member of Mr. Dundas's committee, were you aware that Mr. Dundas was setting down?—I believe that he was setting down.

11227. Have you any means of informing us of the number of persons set down by him?—I cannot do that, I am sure.

11228. You never saw the book?—No, I never saw the number, and never could ascertain the number set down.

11229. Did you try to ascertain it?—No, I never made it my business to inquire.

11230. Were they set down as messengers?—I believe they were.

11231. To be employed as messengers?—To be employed as messengers.

11232. Do you believe that they were *bonâ fide* employed as messengers?—I cannot say; I am sure I do not know.

11233. Have you got the list of the 12 or 14 that you paid?—No; it was returned the same day that I got it.

11234. To Mr. Wood?—Yes.

11235. Have you been much conversant with the York elections?—No, I know little of them; I cannot say I have been conversant with them.

11236. Have you lived in York all your life?—Yes.

11237. You have generally acted as a member of Mr. Dundas's committee?—Only on two or three occasions.

11238. From your experience in elections, is it necessary to have a great number of messengers?—If bribery was done away with, I should say no.

11239. Call it by what name you please, do you consider it necessary to have a great number of messengers employed?—I do not think it is necessary to have a great number of messengers employed at any election; for my part, I have a great objection to it.

11240. You have no objection to pay them?—Yes, I have an objection to pay at all; I would much rather subscribe from my own purse than pay at all.

11241. You would rather pay out of your own pocket than out of the candidate's pocket?—I would.

11242. Were you the chairman of the Walm-gate committee?—Yes, I was.

11243. Were any names taken down in that ward as messengers?—No, the messengers we had were sent us from the general committee.

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11244. Did you employ those messengers in Walm-gate ward?—Yes.

11245. Upon what employment?—In getting up voters to vote.

11246. That would be during the two polling days?—Yes.

11247. Do you believe that, in your judgment, it is necessary, in order to get the voters up, to have persons to remind them of the necessity of coming up?—I do think so, under the present system.

11248. Was there any list of messengers belonging to Walm-gate during the time they were employed?—No; the list that I had was given me by Mr. Wood.

11249. That was for the purpose of paying them afterwards?—Yes.

11250. Was there any list in the committee-room?—No, not that I know of; if there was, it was in the general committee-room.

11251. You had none from the Walm-gate ward?—No.

11252. Were there any villages connected with your ward?—Yes.

11253. How many?—I cannot say.

11254. Were there a considerable number?—I cannot say; I do not know.

11255. You can tell us whether there were three or three dozen?—I should think not three dozen, perhaps three; I know that Heslington was connected.

11256. Was Elvington?—I do not know that he was.

11257. Dunnington?—Perhaps Dunnington.

11258. Escry?—I think he was.

11259. Waldrich?—I do not know, I am sure.

11260. Grimstone?—I cannot speak positively, therefore it is no use to say.

11261. They are villages just on that side of the town on the Walm-gate side?—Yes.

11262. Were any messengers employed in getting up voters from those villages?—I do not know, I am sure, whether they went so far as that.

11263. You did not sign either of the petitions, did you?—No.

11264. Were you applied to do so?—No.

11265. You never were asked?—No.

Cross-examined by Mr. Hill.

11266. Have you read the petitions?—I do not think that I have read them.

11267. There is an allegation in both petitions, stating that there are very corrupt practices prevalent at the York elections; do you believe that to be true?—I have no doubt of it.

11268. You told my learned friend that you believe that some messengers were necessary upon the present system. By the present system, do you mean the present system of corrupt practices at elections?—I do.

11269. I think you told him, that if bribery were done away with, the number of messengers would be comparatively few that would be required?—That is my opinion.

11270. Is a messenger necessary to take care of the honesty of the voter while he may go up to poll, or the honesty of those who come to attack him?—I scarcely understand what you mean.

11271. You say that if bribery was done away with, messengers to this great number would not be required; will you state how bribery makes it necessary to have so many?—Because it is the setting down which causes men to be called messengers.

11272. In your opinion is a messenger set down because he can run about and carry notes, or because he has a vote?—To secure his vote by all means.

11273. Is that the notorious and well understood meaning of setting down in the city of York?—Yes, none but an ass would think to the contrary; it is as well known as that two and two are four.

11274. Perhaps an honest animal like that would have that opinion, if he had an opinion?—If he could have an opinion at all, he would.

11275. Were you about at the last election?—Yes.

11276. Was there much drunkenness?—There was a great deal on the first and second day's polling, particularly on the second day.

11277. Of what party?—The Tory party.

11278. The Blues?—Yes.

11279. Do you know, of your own knowledge, whether persons who had promised for Mr. Dundas were brought up drunk to the poll, and polled for Mr. Lowther?—Yes, but I cannot speak to names; men who had promised us a day or

two

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two before, I saw come drunk to the poll, and polled for Mr. Lowther; I could swear to it.

11280. That they came up under the protection of Lowther messengers?—No, they came by themselves as well as they could, some guided by boys.

11281. Do you remember a person of the name of George Lund, a voter?—I do.

11282. Did he come to offer his services for Mr. Dundas?—He did.

11283. Upon what terms would he do himself the pleasure of supporting Mr. Dundas?—He offered, that if I would give him four guineas, he would vote for Mr. Dundas; my answer was, that we gave no money at all; he might use his own pleasure.

11284. How did he use that?—I saw him afterwards on the same day, so drunk that he was taken from the polling-booth by his own son.

11285. Did Mr. Lowther poll an unusual number on the first day?—Yes, I think he did.

11286. Was it notorious in the town how that was managed?—It was supposed that the men were marshalled that evening, and called up to the public-houses to drink; but I do not know that of my own knowledge.

11287. Was that the report in the town?—Yes.

11288. Do you know of many persons who voted for Mr. Lowther being employed as constables, as they are called, for Duncombe and Walker?—I believe there were many employed, but I could not ascertain the number.

11289. Was it not notorious in the town that that was a mode of getting voters to poll for Mr. Lowther on the first day?—It was so said.

11290. That was the notorious report?—Yes.

11291. I see there are two George Lunds in the poll-book; do you remember the trade of this George Lund?—I do, a skinner.

11292. Does he live in Walm-gate?—He does.

11293. It is not George Lund the combmaker?—No, it is not, it is George Lund, the skinner, in Walm-gate.

11294. In your opinion, can there be a free and fair and pure election in the city of York until this system of setting down is put an end to?—No, I am sure there cannot.

11295. You did pay some messengers yourself?—Yes, at least I caused them to be paid; the list was sent to me, and I sent a person to pay them, and it was returned.

11296. Did you pay those persons for actual service or for pretended service?—For actual service; for canvassing in the city.

11297. Did you satisfy yourself before you gave orders for payment, that the individuals whom you paid had worked for their pay?—Yes.

11298. Is that plan the same or different from what is generally called setting down?—It is very different from what is generally called setting down.

Re-examined by Mr. Wrangham.

11299. I suppose you were very sorry to see Mr. Lowther succeed, were you not?—No.

11300. Were you very glad?—No; if Mr. Lowther had obtained his election upon honest principles, it would have no effect upon me at all, I assure you.

11301. You voted against him?—Yes, I have always voted against that party.

11302. Then you were sorry to see that party succeed?—No, I do not care which party succeeds, if it is done in an honest way.

11303. You, as a Whig, do not care if a Tory succeeds?—No, not if it is done honestly.

11304. You talked about the county election, and about those appointments as constables; you do not happen to know that Messrs. Duncombe and Walker only resolved to pay persons as body-guardsmen and so forth after the city election was over?—I know nothing about what time they were set down for Mr. Duncombe and Mr. Walker.

11305. But you were all surprised at such a number coming on the first day for Mr. Lowther?—Yes.

11306. And Mr. Lowther's opponents would set about accounting for it in every way?—It was accounted for in that way by report; I know nothing more about it.

11307. By report of the opponents of Mr. Lowther?—Yes.

11308. You

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11308. You have always been a zealous party on the Whig side?—Yes.

11309. You are a voter for the North Riding?—Yes.

11310. Do you remember the election in 1832?—I do not think that leans upon this question at all.

11311. Do you remember the county election in 1832?—I came here to answer respecting the York city election.

11312. *Chairman.*]—You must answer the question?—I do.

11313. Mr. *Wrangham.*]—Do you remember anybody voting twice in that election for the Whig candidate, Mr. Cayley?—I must object to answer that, if you please.

11314. *Committee.*]—Why do you object?—Because I think I should criminate myself if I did answer it.

11315. Mr. *Wrangham.*]—Did you not do it yourself?—I think that is the same question exactly; I decline to answer that.

11316. Did you not vote twice in the county election for the Whig candidate?—I decline to answer that.

11317. Upon what ground?—Because I think it might criminate me.

11318. You talk a great deal of the drunkenness by those horrid Blues at the election in 1835; at what booth were you then?—Foss-bridge booth.

11319. Do you remember a great many of those men's votes being rejected?—There were some rejected.

11320. How many can you speak to having been rejected?—I cannot say positively; there was one man's vote taken that was brought by Mr. Lowther's party from Gainsborough, a distance of 50 or 60 miles, and I objected to him myself, knowing that he had been a servant of mine some three or four years ago; but Mr. Bulmer and Mr. Lowther interfered; he then took the oath and was polled.

11321. What oath?—That he was a resident in the city and his family.

11322. Was he a freeman?—Yes.

11323. You say that he took the oath that he was a resident in the city of York, and his family?—Yes.

11324. Did you hear what the oath was?—Yes; I objected to him at the time.

11325. You heard the oath put to him?—Yes.

11326. And that he was resident in the city with his family?—That he was resident within seven miles of the city, which the Act required.

11327. That you take upon yourself to say?—I can swear to it, if it is required; when I objected to his vote being taken, he was sworn that he was resident.

11328. Who put the oath to him?—The opposite party.

11329. You are not certain that the family was mentioned in the oath?—No.

11330. But you are sure that the oath was administered to him that he was a resident within seven miles?—Yes, to that effect; this man came about 45 miles or 50 miles distance.

11331. Did he kiss the book upon that?—Yes.

11332. The deputy sheriff administered it, did he?—Yes, he had promised me previous to his voting that if I would allow him to vote he would vote for Mr. Dundas, and I said no, you cannot vote, you have come from a greater distance than the Act will allow of; you cannot vote.

11333. Was he registered?—Yes.

11334. You objected to him on the ground of his being non-resident?—Yes.

11335. Do you, upon recollection, mean to tell the Committee, to whom you are equally bound to speak the truth as if you were upon your oath, that it was the oath that he was resident in York which he took?—To the best of my belief.

11336. Were those expressions in the oath?—There was that which the Act required, with respect to his residence.

11337. Do you remember that there is any such oath as to residence within seven miles under the Reform Act?—The same questions were asked and repeatedly offered to voters.

11338. Did you repeatedly hear any question or oath administered with respect to residence within seven miles?—They were asked the question, if they were resident within seven miles of the city of York.

11339. That is what you take upon yourself to say?—Yes.

11340. Do you recollect the case of any voters being rejected on the ground of drunkenness?—I recollect one.

11341. How long were you in this booth?—Occasionally; several times.

11342. Stayed some little time on each occasion?—Yes.

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11343. Long enough to see several drunken men come up?—Yes.

11344. Of these you saw only one rejected?—I recollect one, there might be more.

11345. You do not recollect more being rejected?—I cannot speak positively now, I did not keep any account.

11346. You say, that as to these constables for Duncombe and Walker being set down for Mr. Lowther's voters, it was so said, but you do not know the truth of it?—Yes.

11347. And it was so said by the partisans of Mr. Dundas?—By the public at large.

Examined by the Committee.

11348. You say that setting down is part of the corrupt system in York, to which you object on principle?—Yes.

11349. When Mr. Wood proposed to you to pay one of those lists, did you object on account of the corrupt principle to do it?—I thought I was in duty bound to perform such orders as he gave me, being on the committee.

11350. Therefore you would have paid that list if you had not been otherwise engaged?—Perhaps I might.

11351. You say that setting down is universally known to be the putting down a man, that he might be paid for his vote?—Yes.

11352. If any gentleman has said here that he put down 70 or 80 voters, who were to be paid for *bonâ fide* services, and nothing else, has he told the truth, or do you contradict him?—I should see no necessity for doing so, for putting down 70 or 80 voters.

11353. In one ward 70 or 80 persons are said to be put down for *bonâ fide* services; is that true or not?—I should see no occasion for 70 or 80 to be put down for *bonâ fide* services.

11354. If setting down is what you understand and know it to be, then if a gentleman tells the Committee that he put down 70 or 80 as *bonâ fide* messengers in that ward, is that consistent with truth or not?—No, I think not.

11355. He has told what is not true?—I should think there is not any necessity for it.

11356. Has he told what is true or not?—I do not know what his ward may require.

11357. But setting down you know to be a system of putting down men for pretended services?—Yes.

11358. Therefore, any person who has told the Committee that he put down 70 or 80 for one ward for real services, has told that which is not a fact?—I should think so.

11359. You say that many messengers are necessary for the purpose of conducting an election at present, and that that number would not be necessary under a system with no bribery existing?—Yes.

11360. Suppose there was a system without bribery, and the election were going on, and there were 1,000 or 1,500 promises given to a candidate, a certain number of those promises you do not look after?—Yes.

11361. Would there be a certain number of others that from not knowing the persons, or knowing that they were of doubtful character, you could not depend upon?—If there were no bribery, all could be depended upon.

11362. Would there be none that from not knowing sufficiently, or from knowing that they were of doubtful character, you would not entirely rely upon for their votes without looking after them?—You might rely upon them if there was no bribery offered.

11363. You would rely upon their coming to vote and giving their vote?—Yes.

11364. Would you not think that a certain number of those persons might from negligence, or some cause or other, never give their votes?—It is possible.

11365. Would you not think it likely, and would you not therefore think it necessary, to employ a certain number of persons to look after them?—Under the present system.

11366. Would you not under another system?—No.

11367. If a person is to give a vote, having promised it, and is to have a remuneration for his vote, would you not more depend upon that man giving his vote without sending for him than if he was to receive nothing for it?—If he was to receive

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receive nothing, he would be more likely to come voluntarily: those messengers are all paid.

11368. The Committee are asking you about the necessity of employing messengers?—I cannot see that there would be any necessity for employing any large number of messengers in case the bribery were done away with.

11369. There are many notes to voters in York, requesting them to come up to poll; those must be delivered by some persons?—Yes.

11370. If the person is not to receive a remuneration for his vote, would you not think it as necessary to send to that man, as if he was to receive remuneration?—If notes were sent to every man that received remuneration.

11371. Would you not think it less necessary to send to them if you knew that they were to receive a remuneration, than you would if they were to receive no remuneration?—Yes, men do not vote in the first instance, if they are not brought up; they are waiting to get drink and such like things before they come to vote.

11372. If a man is to get two or three guineas for his vote, would you not more expect his fulfilling his promise of voting than if he got nothing?—I do not think I should.

11373. The Committee are speaking of a man that would lose his three guineas if he did not come to vote; would he not be more sure of his promise than if he had nothing?—No.

11374. Do you think that if the messengers understood their duty or their interest, they would ask for money for giving their votes?—I do not know.

11375. Is there anything in the city of York, either from the character of the town or the character of the people, that makes the employment of messengers there more necessary than in any other borough town?—None, but for bribery.

11376. Are there not some persons who make a distinction between employing those messengers and receiving their services for it, and merely putting their names down as messengers with a view to their votes?—There are some employed.

11377. So that if anybody has told us that only 70 or 80 were employed, that is possible?—Yes.

11378. It is possible that he may have employed that number, though they were not necessary?—Yes.

11379. You were asked whether you consented to pay those messengers; do you think if you had refused to pay those voters, you could have prevented the system from being adopted?—No.

11380. You have no doubt of the notoriety of those corrupt practices in the city of York?—No.

11381. Do you believe that any respectable honest man could say that he was ignorant of such corrupt practices taking place in the elections?—No, I am sure he could not.

[The Witness withdrew.

Mr. *Thomas Benson*, was called in; and Examined by Mr. *Wrangham*, as follows:

Mr. *Thomas Benson.*

11382. WHAT is your trade?—Chain-maker.

11383. At York?—Yes.

11384. Are you a voter?—Yes.

11385. For whom did you vote at the last election?—Mr. Dundas and Mr. Barkley.

11386. Have you been engaged a good deal in elections at York?—A good deal.

11387. On the Orange side, I presume?—Always.

11388. Do you recollect the year 1830?—Yes.

11389. Were great expenses gone to at that election by the Orange candidates?—Yes, in 1830 there was.

11390. Particularly in bringing up out-voters?—Yes.

11391. Were you engaged in bringing them up?—Yes, in the out-voting department.

11392. Very considerable sums passed through your hands for that purpose?—Yes; 100*l.* or 200*l.* perhaps.

11393. £. 100. or 200*l.* passed through your hands?—Yes.

11394. Were you employed also in 1832?—Yes.

11395. By whom?—By Mr. Anderson.

11396. He was Mr. Petre's agent, was he not?—I believe he was.

11397. Did

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11397. Did you receive money from Mr. Anderson?—I received money to pay certain bills that were incurred in the election.

11398. What sort of bills; public-house bills?—Yes.

11399. Did Mr. Anderson, when he gave you the money, direct you in what way to apply it?—No, he did not.

11400. But you gave account of how you had spent it?—Yes.

11401. Were those for treating the voters?—Yes; in the expenses of the men that assisted me in bringing up the voters, in giving them refreshment.

11402. The messengers?—Yes.

11403. Were you engaged during the last election?—Yes.

11404. Were you a member of Mr. Dundas and Mr. Barkley's committees?—I was.

11405. Do you remember receiving from Mr. Sheriff Meek any money on the evening of the nomination day?—Yes.

11406. For what purpose?—The duty I had was to take down the names of any persons that would come forward to insist and wish to have their names put down, and to assist me; and I ordered them into different departments, five or six in one place, and five or six in another; and this money was given to me as refreshment for them; and we had cheese and bread; never more than cheese and bread, and such like.

11407. Do you remember how much it was that he gave you?—It was 8 *l.* on the Monday, the night of the nomination, and 5 *l.* on the day following.

11408. Making 13 *l.* altogether?—Yes.

11409. Anything more?—He asked me after the election was over how the account stood, and there was 9*s.* balance.

11410. Did you render any account of how you had spent it?—No.

11411. Did he ask for it?—No.

11412. Did he tell you that he should not want an account?—No, he did not say anything in particular about it; he gave me the money, and I was to do the best I could with it.

11413. Was it this phrase, do all the good you could?—I do not know whether it was good or bad; I did all the good I could with it.

11414. That was the instruction you had from him?—Yes.

11415. Did you canvass with Mr. Hanson?—Yes, I did.

11416. You sometimes went into public-houses in the course of your canvass?—Yes, sometimes.

11417. Did Mr. Hanson ever direct you to spend money in the public-houses? Yes, he did.

11418. For what purpose?—I do not know; always in public-houses they want something to drink; and it has been the general habit to give people drink.

11419. Did you in the canvass treat people in the public-houses who were presumed to be voters?—Yes.

11420. What sort of sums did you spend?—Very small sums; I do not know that it was above half-a-crown at a time.

11421. You stayed a very short time in the houses?—Perhaps not two minutes.

11422. To whet the men's mouths?—Yes; they are generally thirsty at elections.

11423. Who repaid you that money?—Mr. Hanson.

11424. Did you ever canvass with Mr. Barkley?—Yes, several days.

11425. Do you recollect in canvassing with him, going into Wilkinson's in Swangate?—Yes.

11426. Were there a number of people there?—Yes, 20 or 30.

11427. Voters?—We presumed them to be. I knew there were some that were voters.

11428. Did Mr. Barkley give you any instructions there?—Yes; there were one or two asked him for drink; he called me into the passage out of the room, and he said, give them a few gallons of beer, and pay for it, and I will pay you again.

11429. Was it in a loud tone?—No, it was in a whisper.

11430. Did he say anything about his being unable to treat them?—Not at all.

11431. Did you, in point of fact, give them a few gallons of ale?—Yes; there was about 4*s.* or 5*s.* worth of ale given there.

11432. At Wilkinson's?—Yes.

11433. Was that repaid to you afterwards?—No, it was not; I called to ask him to pay it, and he said that Mr. Mitchell would pay it.

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11434. Mr. Barnabas Mitchell?—Yes.

11435. Was he Mr. Barkley's treasurer?—Yes, he was.

11436. Were there any other public-houses in which the same thing was done?—Yes, there were two or three more.

11437. Hawkswell's?—Yes, there was a little given there and at Richardson's, but nothing to any amount; and the principal of those that got it were the runners.

11438. And men that you found in the public-houses?—Yes, and men that were employed.

11439. Was that done in Hawkswell's and Richardson's by Mr. Barkley's directions?—Yes, he said that in any house of this description, where our friends are, a gallon or two of ale was what I was to do.

11440. Your instructions were, that in any house where you thought fit you were to do a few gallons of ale?—Yes; he said that the men that were there required a little refreshment.

11441. In Richardson's public-house, did you receive anything for the same purpose from Mr. Leonard Simpson?—Yes, in the same way, to be spent.

11442. He was the chairman of Mr. Barkley's committee?—He was.

11443. That is the first name that appears upon the petition?—Yes; he said the men must have a little refreshment, and he gave me some money, and said I might spend that in ale; I do not think that there was a single person in the house at the time.

11444. Were you employed under Mr. Sheriff Meek in Monk-ward?—Yes.

11445. What were you to do?—He was chairman of the ward, and I was under him, and I took a certain department in beating up the men, and looking after the men, and took the list, and putting down the names of people that came.

11446. What did you put them down as?—As messengers or runners.

11447. How many do you think you put down?—I should think we put down 60 or 70; I cannot tell exactly, but about that number, perhaps more.

11448. Did you put down all that came?—Yes, generally; I never saw a man refused yet.

11449. You have been employed in that department always?—Yes.

11450. On the Orange side?—Yes.

11451. For many years?—Yes, ever since 1811.

11452. Were you directed to take the names of all that came?—I was.

11453. By whom?—By Mr. Sheriff Meek.

11454. Did you say anything to the men as to payment?—It is the general rule with us, when we put down the names, that they should be paid.

11455. Did you say anything about that?—Yes, I told them that they should be paid the same as others.

11456. Did you mean the same as the rest?—The same as the other candidates, as was generally paid by the other party or our party; for some of the other party give a little more than our party generally do.

11457. And that they should be paid as much as was the practice?—Yes.

11458. You employed those persons in services?—Yes.

11459. All of them?—Yes.

11460. Had you made any regulations for the purpose; did you order them to act at any particular place?—Yes; as soon as it was daylight I classed them in eight or 10, or five or six different parts of the ward, and I looked round, and gave them instructions what they were to do.

11461. And you went your rounds to see that they were at work, in getting the men up?—Yes.

11462. You have had long experience in elections; what number of messengers do you think are required to conduct an election in York?—I should think 500.

11463. Do you think that the services of that 500, in one way or the other, as body-guardsmen, and for getting up voters, or carrying out notes, are required?—Yes, I think they are.

11464. Speaking from your experience in elections?—Yes.

11465. Do you think 5*s.* a day is an over remuneration for the sort of work that they were put to?—No; 5*s.* was generally allowed for a man to do that work.

11466. Is it an occupation from daylight till dark?—Yes, and sometimes all night.

11467. In going on with the canvass in Adinells and Wilbeforce, was the same system of giving drink pursued?—Yes, a small quantity.

11468. A few

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11468. A few shillings were expended in each of the public-houses?—Yes, 8 *s.* or 10 *s.*; it was sometimes more and sometimes less.

11469. On those occasions who paid?—Mr. Mitchell paid.

11470. It was a tolerable quantity of ale?—There would not be above from a gill to a pint of ale.

11471. You did not order it by quarts, but by gallons?—Yes.

11472. That was the practice in the canvass through the public-houses?—Yes, but I should think that it was oftener under 10 *s.* than it was above.

11473. But that system was pursued by Mr. Barkley as much as by Mr. Dundas?—When I was with him it was; I was with him but a few days.

11474. As far as you saw, it was in that way?—Yes.

11475. Mr. Barkley stood upon purity principles, did he not?—Yes.

11476. Did he receive any great assistance from Mr. Anderson?—I believe not; I never saw Mr. Anderson there all the election.

11477. Do you know a Mr. Walker, the auctioneer?—Yes.

11478. Had you ever any conversation with him after the election about remuneration to be given to those who were employed?—Yes, several times.

11479. What did Walker say to you upon that subject?—He said, particularly after 1832, to me, if I had got anything for my trouble. I said, no, and I did not expect anything; he said I was a fool, or something like that; he would not work at any election for no man without being well paid, as he had been before.

11480. When was it he said this?—That was after 1832.

11481. Did he speak of having a running account with anybody?—Yes; I asked him if he had got paid about the election; he said, "I have not; I have a running account with Mr. Anderson, and I have been drawing money several times, but we have had no settlement."

11482. Was he employed in that election of 1832 under Mr. Anderson?—I cannot speak to that; he was generally employed the same as myself, and very active in canvassing or bringing those men up.

11483. In taking down the names was he employed?—I cannot say that.

11484. Were you employed then in taking down the names?—No, I was not; only taking the names down in the neighbouring district that I was nearest to, or anything of that; I took the names of some in a certain district, and gave that list as men who would give their support.

11485. Is that what you understand by setting down?—Yes.

11486. Did Mr. Walker tell you how much he had received for his services?—No, he had a pound or a guinea a day in 1830 for his services, and he expected to get the same thing, or he would not engage in it.

11487. Have you had any conversation with him since the election in 1835?—No, not particularly I had not.

11488. Not on the subject of payment?—No; I saw him lately, but it was before the election of 1835 that we talked of this.

11489. That last conversation with him was not long before the last election?—No, not long, perhaps half a dozen times in the year we talked together.

11490. *Committee.*]—When was this?—Some time in 1834.

11491. Mr. *Wrangham.*]—Did Mitchell ever say anything to you about his being paid?—Yes, he did.

11492. What did he say?—I will describe: there was a letter came down to York from Mr. Barkley to Mr. Wilson; it came down in the night by the mail, and about nine o'clock he called at my house.

11493. When was this?—Just before the election in 1835, stating that Mr. Wilson was to meet him at Newark.

11494. Is that John Bull Wilson?—Yes, and I was not in, and he saw my mistress, and he knocked at the door; it would be about nine o'clock or half-past nine, and he said, "Is Mr. Benson in?" and she said, "No." "I want to see him," he says; "here is a letter come from Mr. Barkley to Mr. Wilson, to go to meet him at Newark;" and my mistress said, "I do not wish my master to engage in electioneering, it does him more harm than good;" and he said, "Well, he must be like me, if he engages in it, he must be paid for it." In the course of 10 minutes or a quarter of an hour I came home, and there is a bakehouse about 40 yards from my own house, and I heard a noise in it, and I went in. When I went in, Mitchell was in, and there was a baker and another neighbour, and he says, "I have been at your house, and you are the man I wanted to see."

11495. Who is the baker?—Bowman. He says, "You are the man I wanted

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to see; I have been at your house: here is a letter come down from Mr. Barkley to Mr Wilson. You must go with me to my house, and I have some from Mr. Barkley, to know whether it was his writing or not, because we are rather frightened that it is a fictitious letter, and I should wish you to go;" and I went and stopped two hours with him that night: he was looking at his letters, to see that it corresponded.

11496. What had he said about his services?—He said, "Now, Benson, we must go to work;" and I said, "I think I shall decline this election; I have had too much before: I have a large family, and it will not do."

11497. What did Mitchell say to that?—He said, "You must be like me; I consider my services to be worth 100*l.* But if you engage again, either be well paid or do not engage at all; and if I cannot be well paid in this election, I will go to Rippon and engage for Mrs. Lawrence, and turn Tory, and will be paid there."

11498. Mrs. Lawrence is a Tory?—Yes, it has been so reported.

11499. The two members for Rippon are, at least?—Yes.

11500. They are supposed to be under the influence of Mrs. Lawrence?—Yes; and I should think that there was not a place where there is more corruption than in that. I am a native of that place; and Mr. Bowman and the other gentlemen were in the other room.

11501. You understood that to arise from his fondness for purity of election?—I understood it to arise from his fondness for money; it could not be for anything else.

11502. I am afraid he got no money at this election?—I do not know; I have no idea that he got a farthing.

11503. He signed this petition?—I do not know; I have never looked at it.

11504. Did he ever ask you to sign it?—No.

11505. What is your opinion of the petition and the charges it contains?—I do not know about the petition.

11506. Have you read it?—No, I have not read it at all; I do not know any man that has put his name to it at all.

11507. You were engaged in the year 1830, were you not?—Yes.

11508. For Mr. Petre?—Yes.

11509. Do you know that card?—I know that card very well; it came from London.

11510. Just look at the back of it; were any orders of that kind sent about at that time?—Yes.

11511. Do you know the handwriting?—No.

11512. The names are the signatures?—I know the gentleman very well, Thornton.

11513. That is the publican?—Yes.

11514. What is the name at the bottom of the order?—George Leman.

11515. Do you know the handwriting?—I do not.

11516. Do you know Mr. Leman's handwriting?—I do not; I have seen it hundreds of times, but I cannot swear to it.

Mr. *Leman* admitted that it was his handwriting.

Cards for orders for drink were shown to Mr. Leman, and he admitted his handwriting to the signatures, and they were delivered in, and read.

11517. Has the practice always been on the part of the party with which you have been connected, to set down all the voters who came in the capacity of messengers?—Yes.

11518. To employ them in that capacity in the course of the election?—Yes.

Cross-examined by Mr. Hill.

11519. Have you had the misfortune to be in gaol lately?—I have.

11520. When did you come out?—About a fortnight ago.

11521. How came those gentlemen on the other side to find you; did they come to gaol to you?—Yes, there was a gentleman came, and I never had spoken to him before or since.

11522. Who is he?—Mr. Goole.

11523. The partner of Mr. Richardson?—Yes.

11524. How came you to get into gaol?—By misfortune.

11525. Did you take the benefit of the Insolvent Debtors' Act?—No.

11526. Did you not try?—I did.

11527. How

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11527. How did you fail?—It did not suit exactly; there was a docket against me.

11528. Did you prepare a schedule?—Yes, I did.

11529. Were you opposed?—Yes, I was.

11530. Did you think proper to withdraw that schedule, upon being opposed?—Not particularly then.

11531. Did you think proper to withdraw that schedule?—I did.

11532. Did you withdraw it before you were opposed?—No.

11533. After you were opposed?—About the same time; I think three or four days before I made my mind up; nearly about the same time.

11534. I want to know what you did; did you, or did you not, withdraw your schedule before you were opposed?—About the same time.

11535. Which was the first?—I got three oppositions, and I believe I got one before and two after.

11536. When did you withdraw it; before you were called up into court, or at that time?—I made my mind up——

11537. I ask you when you withdrew it; did you not withdraw it in court, while you were standing in court?—Yes.

11538. After counsel had been employed against you?—That I do not know.

11539. Were you not opposed by Mr. Anderson?—Yes; and I should have thought him the last man that would have opposed me.

11540. It was very ungrateful to oppose you?—He was employed; he did not offer any opposition personally, or I should have thought it different if it had been upon his own part.

11541. You said that you thought he was the last man that would have done it?—Personally, if he did.

11542. You are not angry with him?—Nothing of the sort.

11543. Were there any mistakes in the schedule?—Well, I do not know; it did not exactly suit at the time; the schedule was not exactly to my mind at the time.

11544. Now, I repeat the question; were there any mistakes in that schedule?—Any mistakes?

11545. It is a simple question?—It was not exactly to my mind.

11546. Were there any mistakes in that schedule?—Yes, it was a mistake, because it did not exactly suit me to examine it.

11547. Were there any false entries in that schedule?—No, there were not.

11548. Was the statement in that schedule true?—Yes.

The Chairman cautioned the Witness to speak the truth.

11549. Look at the Chairman, and give me an answer to this question, which I ask you very solemnly; did you enter the whole of your property in that schedule?—No, I did not.

11550. Did you then bring a schedule to the court which did not contain the whole of your property?—It did not; here is a gentleman here knows, Mr. Leman; I told him.

11551. You say after you thought proper to withdraw from the benefit of the Insolvent Act, you were made a bankrupt?—Yes, I was.

11552. Who was the commissioner under your commission?—Walker.

11553. Not this James Walker that you have been telling the stories about?—Yes, the same man.

11554. Were you on very good terms with Mr. Walker?—I never was on bad terms with him in my life, that I know.

11555. Take care in the answer that you give to this question; did not Mr. Walker detect concealed property of yours?—What?

11556. Do you mean to say you do not understand the question?—He did not detect it, because he knowed before he went; I told him myself, and the gentleman is in the room now.

11557. Where was the property?—In my own house.

11558. Where?—Within 20 yards.

11559. Where was it; in another house?—Yes, within 20 yards.

11560. In what part of your house?—In the chamber.

11561. A bed-chamber?—No, they lodge under it; it is a kind of lodging above.

11562. It is a hay chamber?—Something of the kind.

11563. What sort of property was it that by some accident was 15 or 20 yards from your house in a dry chamber?—It was iron.

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11564. Do you mean to say unwrought iron?—No, the iron for work.

11565. You are a chain maker?—Yes; it was round bolts, ready to make chains of.

11566. What quantity was there?—Perhaps about 20 *l.* worth.

Re-examined by Mr. Wrangham.

11567. Who was your attorney when you prepared your schedule?—Mr. Edward Anderson.

11568. This gentleman's brother?—Yes.

11569. Did he prepare the schedule for you?—Yes.

11570. Did you communicate to your attorney the actual state of your affairs?—Yes.

11571. Was it under his advice you acted?—It was under him and two or three more that I did it; they told me that a composition would be made to my creditors; instead of that they struck a docket against me for a person that I did not owe a shilling to.

11572. Who else?—Mr. Leman and Mr. Smith talked the matter over, and I said I wished to do the best for myself and my creditors; I did not wish to conceal anything.

11573. Did Mr. Leman advise you?—They talked the matter over, and said they would do the best they could; they said the affairs were in such a small compass that there was property equal to pay everybody.

11574. Did Mr. Leman give you advice as to the course you were to follow?—He said, we will try for a compromise, or something to that effect; and I said anything they liked; I wished them to do the best for myself and my friends.

11575. Did you state to them the actual state of your property?—I did; the property was not concealed, because Mr. Leman knew of it.

11576. And you said that Mr. Walker also knew of it?—Yes, I told him.

11577. You did not attempt to conceal it, but you told Mr. Walker where the property was?—Yes, and Mr. Anderson's brother, a week or a fortnight before; though it was concealed, it was actually not concealed.

11578. Are you now discharged from gaol?—I am.

11579. I ask you whether you have received any the slightest assistance from Mr. Goole, or anybody who applied to you, to enable you to be discharged from gaol?—Not a farthing.

11580. And you have been employed all your life long, since 1811, in electioneering for the Orange party?—Yes, I began in 1811, but not much till 1818.

11581. And they never found fault with your conduct?—No, and have not had any occasion to do it.

11582. *Committee.*]—Was it 20 *l.* iron in value?—Yes.

11583. Did you yourself communicate the fact of that iron being there to Mr. Walker?—Yes, and Mr. Leman.

11584. Was it inserted in your schedule?—It was not.

11585. Did Mr. Leman know of what was inserted in your schedule?—I do not know that he did.

11586. Mr. *Hill.*]—Did you send for Mr. Leman, to consult with him?—I did.

11587. Was that after what had taken place in the Insolvent Debtors' Court?—It was before.

11588. Was it after you had made your schedule?—Yes.

11589. Did not Mr. Leman advise you to give up everything to your creditors?—He did; and I told him where it was.

11590. Had not this Mr. Anderson, not the other Mr. Anderson, found out the concealed property?—I do not know that he had.

11591. You had not heard that he did at that time?—No, not Mr. Anderson.

11592. Who?—I heard that it was reported that the property was found concealed, but not by Mr. Anderson.

11593. Then it was reported that they knew where it was concealed?—I do not know anything about that.

11594. And you sent for Mr. Leman to know what you were to do?—I sent for Mr. Leman to consult him.

11595. Are not the offices perfectly distinct of the two brothers, the Mr. Andersons; are they in partnership those two?—Not that I know of; I do not know that they are; I believe not.

[The Witness withdrew.

Mr. *Thomas Peters*, called in; and Examined by Mr. *Wrangham*, as follows:

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11596. ARE you a law stationer at York?—Yes.

11597. Had you, in last December, a clerk of the name of Carter in your employ?—I had.

11598. Do you remember that clerk being engaged in Mr. Lowther's committee-room?—I do.

11599. Can you tell us the days on which he was so engaged?—Yes, his first attendance at Mr. Lowther's committee-room was on the 27th and 28th of December; his second attendance was on the 1st and 2d of January.

11600. When was he engaged again?—His last attendance was on the 7th of January.

11601. That was the second polling day?—Yes.

11602. Was that for the whole of that day or not?—A portion of that day; immediately after the close of the poll, a messenger came to my office, and said that I was to send a clerk down to the committee-room immediately.

11603. You can take upon yourself to say, that from the 2d of January to the 7th, Carter was not employed in that committee-room?—No, not in any shape whatever.

11604. Therefore, on the 3d, 4th, 5th and 6th, he was not employed?—No.

11605. Did this Carter leave you shortly afterwards?—Yes.

11606. When did he tell you that he was engaged to go?—He gave me notice that he was about to leave me of course; I asked him where he was going to, and he said he had an engagement with Mr. Anderson.

11607. This gentleman?—Yes.

11608. Can you tell us when you had this notice from Carter?—I believe it was about the 29th December his first notice to me.

11609. That would be about 10 days before the election began; the election was on the 6th or 7th?—Yes.

11610. You were at York at the time of the last election?—I was.

11611. Were you about in the streets occasionally?—Yes; I had no engagement at the last election; not in the city election.

11612. You were about a good deal?—Yes, the only engagement that I had was that which was fulfilled by my clerk as it were.

11613. We have heard a great deal about drunkenness at the last election; what is your judgment upon that point; do you think that there was more drunkenness or less at the last election than formerly?—My judgment and opinion was decidedly this, that the election of 1832 was tenfold more drunken than than of 1835.

11614. Should you say, therefore, that there was less drunkenness in this election than had been in former ones?—Yes.

11615. Do you consider that there was a great amount of drunkenness?—That was not my impression.

11616. And you had the means of seeing?—Yes; I went up to poll with other friends, and saw what was going on.

11617. Was it not matter of conversation and remark, that there was less drunkenness than had been seen before?—I remember when this petition was talked of, and that that was one ground why they were going to make application; my opinion was directly to the contrary, and I then asked several respectable friends, who said that the last election was orderly beyond description of what previous elections had been in York.

11618. You were employed by the sheriff in 1832?—I was; I was poll-clerk to the sheriff.

11619. In one of the booths?—Yes.

11620. Did you see drunken men come up?—Yes; I have to say, that on the second poll-day in 1832, most of the men who showed themselves at the booth where I was showed themselves in a state of intoxication.

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11621. For what party were those?—Bayntun and Petre.

11622. Was there great disorder in that election?—Such as I never witnessed before in the city of York.

11623. Against what party was this excitement and disorder?—Against Mr. Lowther's party.

11624. Do you know James Walker, the auctioneer?—I do.

11625. Do you remember him bringing up a man in 1832 who was in a state of intoxication?—I remember a friend of mine telling me the circumstance that he did do so; I was not present at the booth; and that it was refused on the part of the deputy-sheriff there to record the vote.

11626. Mr. *Hill.*]—Are you speaking of what you witnessed yourself?—No, I am speaking of what a poll-clerk told me.

11627. Who is he?—Grayston.

11628. Mr. *Wrangham.*]—Were Mr. Lowther's friends as they came up to poll intimidated and abused?—They were; I heard of several respectable persons being insulted.

11629. Do you believe that many were prevented from coming to the poll by such means?—I do.

11630. Are you aware that Mr. Lowther's committee-rooms were frequently attacked?—Yes, I remember the circumstance of their being so, and I remember observing the circumstance of the windows covered with paper instead of glass.

11631. Where was that?—In Cuniss-street, at the house of Mr. Fox.

11632. Do you remember hearing of an attack upon the Punch Bowl in Stonegate?—Yes.

11633. Do you remember hearing of any person as being conspicuous in that attack?—Yes; there was one friend of mine that was at the Punch Bowl at the time, and he stated to me that the persons that he saw most prominent in that attack were Mr. Ellis and Mr. Leman.

11634. Who was that person?—Mr. Brookbank.

11635. Was he the man whose leg was hurt?—Yes; I am in the daily habit of seeing him.

11636. Do you recollect hearing also from Mr. Ware?—Yes.

11637. He lives directly opposite?—Yes.

11638. What did he tell you; did he tell you as to anything that Mr. Leman did?—Yes.

11639. What was it?—He told me, that during the attack that was going on, in order to get out of the way of the riotous proceedings that was going on, to save himself from being injured, he went down the stairs and looked out of the bow-window of the room, that was directly opposite the Punch Bowl, and he said Mr. Leman brandished a broken staff in his hand, and pointed him out as a spy.

11640. Did he tell you the words that Mr. Leman used?—"There is a spy."

11641. Do you know the handwriting of Mr. William Gray?—Yes.

11642. Do you know that he was agent for Mr. Duncombe and Walker in the last election?—Yes.

11643. Is that his handwriting?—Yes, I should say that it is in his handwriting.

11644. Are you in the habit of seeing his handwriting?—Yes.

11645. Do you ingross for Mr. Graham's office?—Yes.

11646. Are you acquainted with the handwriting of Mr. Short, his clerk?—Yes, I have frequently seen it.

11647. Tell us whether that is his handwriting (*the cover of the letter being shown to the Witness*)?—I should say, decidedly not, as far as my judgment goes; I do not see anything in the character of that handwriting like Short's in the drafts that I usually see.

11648. *Committee.*]—Nothing in the character of it?—I could point out several here; Short is not in the habit of making his capitals in that way.

11649. Do you know whose handwriting it is?—No.

11650. Mr. *Wrangham.*]—Should you say that that is not his?—I should say it is not Short's handwriting.

Cross-examined by Mr. Hill.

11651. You say that the capitals do not agree?—No, they do not.

11652. He makes his P.'s in another way, does he not?—Yes.

11653. Does that strike you as making the difference?—When we copy drafts, we generally look at the character of the writing, and that makes us look at it particularly.

11654. Does the different mode in which the capital letters are formed to what they are formed in the drafts that come from Mr. Short strike your mind as giving a different character to the handwriting in the letter?—Certainly, so far as those letters go.

11655. Is it not a lawyer's hand?—I cannot tell.

11656. You cannot take upon yourself to say that it is a lawyer's hand?—No.

11657. You are a law stationer, are you not?—Yes.

11658. Look at it?—It bears the stiffness and appearance, but there are very few offices except law stationers' that write anything like this stiff hand.

11659. Is it not a law writer's hand?—Yes.

11660. Do I understand you to say, that that part of the handwriting which has not capitals is very different from Mr. Short's?—I should say that I could not take upon myself to say that it is Short's handwriting.

11661. Would you take upon yourself to say, having disregard to the capitals, and looking at that word "accountant," that it is not Short's handwriting?—If that answer is required of me, as far as my judgment goes, it is not Short's handwriting.

11662. You begin to be very decided; let me refer you to that word "accountant," and tell me if you give me your decided opinion that that is not Mr. Short's handwriting?—My decided opinion is, that I could not undertake to say that it is Mr. Short's handwriting.

11663. You have been speaking of Mr. Carter being in your employment; did you recommend Mr. Carter to Mr. Anderson?—No.

11664. Did you give him a good character to Mr. Anderson?—As to giving him a good character when Mr. Anderson inquired of me, I certainly gave him a character, but it was after Mr. Anderson had engaged him.

11665. But was it a good one?—I cannot say that it was a bad one.

11666. Was it such a character as Mr. Anderson might engage him upon?—Yes; I told Mr. Anderson the truth.

11667. Was that truth in his favour, or in his disfavour?—The character that I gave to Mr. Anderson was upon Mr. Anderson's inquiring of me; I told him that he was a young man who was capable of doing the working part of a law stationer, but that he would require watching. Mr. Anderson will recollect that I said that he was a young man, that he was heady, thinking that Mr. Anderson would want him as a responsible person; I said, as a workman he could write as fast as any clerk that I had.

11668. Did you say one word against his veracity or honesty?—Certainly not; I had no occasion whatever.

11669. Did you not afterwards send a written character of him to Newcastle?—Of course I did.

11670. Such a character as would gain a person a situation?—Not quite so good as he expected; he complained a little of it to me, in this way: another young man was joining the business and he produced the character that the other stationer had given to that clerk, and he said you have not spoken so well of me as the other has of his clerk.

11671. Did you insinuate in either of those characters against the veracity or honour of that young man?—No.

11672. From what did you get those dates which you gave us?—From the day-book.

11673. How were you employed during the last election?—I had no engagement.

11674. You said that you were engaged as a law stationer?—No; Carter was very fond of going to the election rooms, and I allowed him to go.

11675. Were you very busy at the election?—No, not at the election.

11676. Had you leisure at command?—Yes.

11677. You have spoken of something that had been told you by Mr. Ware?—Yes.

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11678. Is he married?—Yes.

11679. Do you know Mrs. Ware?—Yes.

11680. Mrs. H. Ware?—Yes, but that is not the wife of the gentleman I am speaking of.

11681. Is she related to him?—The husband of that Ware is brother to Mr. Christopher Ware.

11682. When did he tell you this story?—He first spoke to me about it; I would not have it supposed that I came here with a desire to speak to it but from the anxious wish of those parties; they are now ready to come and substantiate what I have stated; he said, do tell the Committee of this case of Mr. Ware.

11683. Mr. Brookbank was very anxious to come himself?—Yes.

11684. He is not brought here?—No.

11685. Have you seen him here?—No.

11686. When did you get this information?—The express wish on the part of Mr. Ware was mentioned to me this last week.

11687. After the evidence had been published in all the York papers?—Yes; and the reason was that they conceived that this had not been properly brought out.

11688. Among the other publications, was it not mentioned that a great many persons had certified that Mr. Leman had nothing to do with this?—Yes.

11689. One of those was Mrs. H. Ware?—She was a mere stranger; I know the circumstances, and I know that Mrs. H. Ware is a mere stranger. I do not wish to give any information here that cannot be contradicted; but he declared to me that Mrs. Ware signed the paper without knowing what it was.

11690. Who told you that?—Mr. Christopher Ware.

11691. Is that the gentleman you have been speaking of?—Yes.

11692. You are speaking of three brothers?—No, of two.

11693. Is Mr. Christopher Ware the person that is so anxious that this should be set straight?—Yes.

11694. Do you know why it was that those persons who were so very anxious to have this set straight did not come themselves?—They could not come unless they were summoned.

11695. They were not summoned?—No.

11696. You are a Tory, I take for granted; I have seen that a long while?—Yes.

Re-examined by Mr. Wrangham.

11697. Mr. Ware expressed last week an anxiety that you should state this as you were summoned?—Yes; he said he fully expected that Mr. Harwood would have been examined, and then the whole matter might have been brought out.

11698. Perhaps you are aware that he was summoned by my learned friend?—Yes.

11699. Did Mr. Ware express his wish to you that you should make the statement last week you were going on to state when you first heard it?—I cannot say the time; Mr. Ware and I have been intimate from children, and he has been in the habit of speaking to me, and Mr. Brookbank I see daily.

11700. Was it about the time when the thing happened?—I would rather be excused from referring to any particular time.

11701. Was it about the time when this happened?—Yes; Mr. Ware has often named it to me.

11702. Mr. Brookbank has the misfortune to be a Tory?—Yes, it is a misfortune.

11703. Was that the reason why he got his leg injured?—He got injured in the cause; rather than the Tory cause should be defeated he would undergo the same again.

11704. My learned friend asked whether this word "accountant" is not something like a lawyer's hand?—I said that that was not written in a solicitor's office, but in a law stationer's office.

11705. Does it occur to you that this might be something like an imitation of a law-hand?—It might be an imitation, certainly.

11706. There is some appearance of its being a feigned hand, is there not?—Yes; I should say decidedly it might be my handwriting as well as any other person's, if I were to attempt to imitate that.

11707. Might not that as well be in the way of simulation as of dissimulation; might it not be the imitation of it as well as the disguise of it?—Yes.

11708. When

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11708. When you are asked about the letters forming the word "accountant," seeing that all those law letters are written in that way, is there anything that would distinguish that from anybody's hand; there are no heads or tails that distinguish the handwriting?—I do not see that there is anything particular in that word "accountant" to distinguish.

11709. Mr. *Hill.*]—From any handwriting?—From an imitation.

11710. Mr. *Wrangham.*]—It might be written by almost anybody?—I do not see that there is any difficulty in making that word.

11711. Do you believe it to be his or not?—I do not believe it to be his handwriting.

11712. *Committee.*]—Do you think if anybody had tried to imitate Short's handwriting they would have used those capitals?—I should think if they had tried to imitate Short's they would not have put those capitals, and I should say if that was an imitation, that the person in writing that imitation had not perhaps thought of that at the moment of imitating it so precisely.

11713. Mr. *Wrangham.*]—You have been asked about this Mrs. H. Ware; do you happen to know what the politics are of Mr. and Mrs. John Ware?—I do not happen to know them so well; Mr. John Ware has been absent from York.

11714. Is he an ironmonger?—Yes, next door but one to his brother.

11715. *Committee.*]—Your business as a law stationer renders you very conversant with handwriting?—Yes.

11716. Have you ever found it difficult to distinguish between two handwritings?—Yes. In my own office, where I have several clerks who may copy an instrument, the gentleman that I send it to cannot tell us which is one clerk's handwriting and which is another's, but I can tell them very well myself.

11717. But a person not so intimately acquainted with the handwriting as yourself would not be able to distinguish?—No.

11718. Would you entertain some doubt of an opinion regarding the handwriting of almost any letter or instrument; would you be disposed to speak with perfect confidence?—No; I think it is a difficult thing to prove handwriting.

11719. In your employment as law stationer, the persons you employ are not placed in situations of trust?—Yes, I consider in great trust, because mortgages and other instruments pass through my office, which I consider strictly confidential, and my directions are, that if ever they divulge anything that passes in my office, I discharge them immediately.

11720. You state that it is difficult to prove handwriting; is it not also difficult to deny handwriting?—Yes, one must tell one way as well as the other.

11721. Then you could not speak with greater confidence of a paper not being the handwriting of a person, than that it was the handwriting of that person?—No.

11722. With all the doubt respecting a handwriting, there is such a thing as being certain about a handwriting; you are in the habit of attending to directions from persons who send letters addressed to you?—Yes, that is the case in our office.

11723. If you had received a letter in that handwriting upon the back of any parcel, would you have recognised and acted under it as if it had been Short's?—I mean to say that if a letter had been written to me in that character, I should not have recognised it as his handwriting, unless I had opened it and found it with his name.

11724. Supposing you had received a letter purporting to be from Short and signed with his name, but the other part of the letter written with the same hand as on that direction, would you have supposed that it was Short's?—I should have felt doubt unless I had asked him whether it was his or not.

11725. Might not that be the case if there were any attempt to disguise the handwriting?—It might be so.

11726. Might it not prevent your inferring, at first sight, that it was the handwriting of Short, when subsequent examination might convince you that it was so?—I think that it is possible for a person to disguise his hand, that it might raise a doubt.

11727. Might it not at first sight appear not to be the handwriting of the party, though, upon close investigation, you might find marks to prove that it was?—Yes.

11728. If that letter had come to you signed by Francis Short, the handwriting

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writing is not so dissimilar but that you might believe it to be Short's?—There would be a doubt upon my mind whether it was.

11729. Even if it had been signed by Short?—Yes.

11730. If it had come signed by another name than Short, would you have said that it was Short's?—No.

11731. There is something particular about the handwriting?—Yes.

11732. Is there not an angularity in the letters?—Yes.

11733. Is that the character of Short's handwriting?—I say that Short is in the habit of turning his letters more a good deal.

11734. He writes a round hand?—What we call a very stiff hand, not in the character of that.

11735. Does he round his letters?—More so than they are there, generally speaking.

11736. Do you see any resemblance in this handwriting to that of Short's?—I may see some resemblance. I could not undertake to say from that, that it was Short's.

11737. In that particular, the sharp way of making the n's and m's?—I cannot take upon myself to say that it does not bear a resemblance to Short's handwriting in that respect, as to the sharpness of the letters.

11738. Could you take upon yourself to say that it does not bear a strong resemblance?—I will take upon myself to say that it does not bear a strong resemblance.

11739. Suppose one of those parcels had come with two sovereigns in it addressed to you, and in that handwriting, would you have been led, from looking at the handwriting, to believe that it came addressed by Short?—No, I should not have had any idea of it.

11740. You voted for Mr. Lowther, did you not?—I did, and I will vote for him again.

[The Witness withdrew.

Mr. *Hugh Shield,* was called in; and Examined by Mr. *Wrangham,* as follows:

Mr. *Hugh Shield.*

11741. I BELIEVE you are the London agent of Mr. Graham?—I am.

11742. Have you been in the habit of receiving, in consequence of that, letters from Mr. Short?—Very frequently.

11743. Are those letters that you have received (*some letters being shown to the Witness*)?—Yes; those are some that I received this morning.

11744. Are you, by means of that frequent correspondence with Mr. Short, acquainted with his handwriting?—I think myself very well acquainted with his handwriting.

11745. What is your opinion with respect to that paper (*the letter being shown to the Witness*); is it or is it not his handwriting?—I am decidedly of opinion that it is not his handwriting.

11746. The last witness has been asked as to some sharpness in the m's and n's; is it your impression that the n's and m's are sharp?—Mr. Short's hand I do not consider as at all stiff, and not at all angular, but rather round.

11747. Do you speak with any doubt upon that subject?—I do not speak with any doubt. I do not see the slightest resemblance in the individual letters, or in the general character of the hand.

11748. Would you, in fact, as soon take it to be some other person's writing as Short's?—I know one or two that I should take it to be rather than his.

11749. *Committee.*]—Have you anybody in your office that writes like that?—I think I have; he writes very unlike this, but I think if he was going to write on such paper as this, it would be like his handwriting; more like his than Short's.

11750. Who is he?—Mr. Atkinson.

11751. In your office in London?—Yes, but very unlike it; but still I think that the "J" would be something like his "J" in particular.

11752. Mr. *Hill.*]—Is that the capital letter?—Yes.

11753. *Committee.*]—Is not that what you call an ingrossing hand?—Yes; it has the appearance of a person used to write law documents; from the "C" I should say so, and the general stiffness about it.

11754. Most

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11754. Most persons who are used to write law documents can write a running hand, and a sort of ingrossing hand too?—Yes, I should think so.

11755. Is that what you would call a round hand (*another paper being shown to the Witness*)?—I mean that the letters are all made round; the letters are not angular.

11756. Would you call that angular writing?—I would call that angular; the c's are all bent and the letters written round.

11757. Is it not, in the appearance of the hand, a man who writes German text?—It has the appearance of a man who writes ingrossing hand, but writing very quickly for that occasion.

11758. You mean writing German text?—No, it is a hand used in deeds.

11759. Have you known any instances of one man's handwriting being so much like that of another, as to make it difficult to distinguish which was his?—Yes, I have known instances. I know myself I write like two different people; so like that I have heard the resemblance mentioned; but I can see the difference myself.

11760. Mr. *Hill,*]—Are they relatives?—No.

11761. *Committee.*]—Is not the handwriting of persons accustomed to write legal hand more likely to resemble each other than that of persons writing in the ordinary way?—Yes.

11762. From that conventional mode of writing?—Yes, so far as ingrossing writing is concerned, it would be very difficult to distinguish that writing.

11763. Does not the habit of writing in ingrossing hand produce an effect upon the general handwriting of that party, so as to induce a similarity?—Yes.

11764. Therefore you would not draw so strong an inference from the resemblance of persons accustomed to write ingrossing hand, as if it were the handwriting of another party?—No, I should not.

11765. Is it the custom in an attorney's office to ingross, or for the law stationer?—We generally send it to the law stationer.

11766. Mr. *Hill.*]—You are speaking of London?—Yes; it is very seldom that an attorney has a clerk who can write an ingrossing hand.

11767. Mr. *Wrangham.*]—You say that the handwritings of ingrossers, that is, in an ingrossed deed, would be very much like, whoever wrote it?—I should say so.

11768. That is what you mean when you speak of a law hand?—I mean an ingrossing hand.

11769. But with reference to the letters you have received from Mr. Short, which you presume to be his natural hand?—I do not consider that Mr. Short writes an ingrossing hand.

11770. Would not any attempt to imitate a hand tend to give a stiffness to the character of the handwriting?—It seems to me probable that it would.

11771. Which might give that sort of character of an ingrossing hand?—Yes.

11772. Have you ever employed any clerk who writes like this, or has he been employed in directing letters of this kind?—No, never.

11773. Is he in London now?—Yes; the resemblance between his hand and that is the faintest possible, but somewhat more perceptible than the resemblance to Short's.

11774. Mr. *Hill.*]—Have you any of his handwriting with you?—No, I have not. I mentioned it particularly with reference to the "J."

11775. Mr. *Wrangham.*]—You mentioned it as an instance to show how little like Short's it was, rather than like his own?—Yes.

11776. Nobody but yourself could direct the clerk to do this?—I must have known, and must have necessarily given directions, for there was no partner but myself at that time.

11777. You never heard of these parcels and letters till this inquiry?—Never till this inquiry.

11778. *Committee.*]—Have you ever seen that handwriting before?—No, I never saw this handwriting before.

11779. You can form no idea whose it is?—No.

11780. Nor that?—I have seen this before in the room, but I have not the slightest idea whose it is.

[The Witness withdrew.

Mr. *Charles James Hanson* was called in; and Examined by Mr. *Wrangham*, as follows:

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11781. I BELIEVE you seconded Mr. Dundas at the late election?—I did.

11782. And were a leading man in his committee?—I was.

11783. You voted for Dundas and Barkley?—I did.

11784. Do you know a person of the name of John Storry?—Very well.

11785. Did you give him directions to take down the names of messengers?—I did.

11786. He took them in a book, he has told us?—Yes, he did.

11787. He gave the book to you?—Yes.

11788. Have you got it?—No, I gave it to Mr. Wood; I can nearly give you the contents of the book if you wish it.

11789. Can you give the names of the parties?—No, I cannot; but you will have the names in the various lists.

11790. Do you suppose that Mr. Wood would have that book?—I have no doubt that he would. Before this investigation took place I gave up all the papers to him.

11791. Did you pay a list of those messengers yourself?—I paid two lists.

11792. One for Bootham and one for Monk ward, was it?—Yes.

11793. Was that list which was paid to Monk ward the list that had been sent to Mr. Sheriff Meek?—Yes, it was part of it; I copied it at Mr. Meek's house myself.

11794. You also paid a separate list for Bootham ward?—I did.

11795. Now that you have been looking over the book with your journeyman, can you give us the names of any one of them?—I have taken 41 names from the poll-book, which, to the best of my knowledge, were in that list. I do not vouch for the accuracy of the list, because it is from memory, and I have had the assistance of Mr. John Storry and Mr. Pashley, who wrote out the list, and none of those recollect as much as I do myself.

11796. Are those 41 names from Monk ward?—Yes, from memory, taking the poll-book; if it is wished that it should be ascertained how many were on Mr. Meek's list, I should say 65 names, and I made out 41 out of that.

11797. For Bootham ward have you that list?—No, but I recollect there were 62 names for that.

[*The Witness delivered in the List.*]

11798. Is that Armitage Richard, plane-maker, Goodram-gate?—It is.

11799. Robert Bell, blacksmith, Hungate?—It is one Bell, but I do not know which Bell it is; it was the senior man who was paid, but whether it was Robert I cannot say.

11800. Joseph Botterill, shopkeeper, St. Andrew-gate?—Yes; that I am almost certain of.

11801. William Bradley, Hungate, grocer?—Yes.

11802. William Butler, roper, Palmer-lane?—Yes.

11803. Are those the people that you paid?—I believe they are, to the best of my knowledge.

11804. Canney, William, shopkeeper, Shambles?—Yes.

11805. Chaplain, Antony, cordwainer, Lord Mayor's-walk?—Yes.

11806. Davis, William, painter, Pump-yard?—Yes.

11807. Dobson, Jonas, joiner, Wesley-place, is that it?—Yes.

11808. Dodgson, John, tailor, Ogleforth?—I am not quite certain whether I paid Dodgson, but it was upon the list, I believe.

11809. Douglas, William, hair-dresser, Girdler-gate?—Yes.

11810. Duke, William, painter, Hungate?—Yes.

11811. Duke, Henry, tobacconist, Garden-place?—Yes.

11812. Hill, Robert, miller, Hungate?—Yes.

11813. Hurworth, Lewis, jeweller, Ogleforth?—I am not quite certain whether I paid him or Mr. Meek; if there are any on that list, Mr. Meek's list, of course Mr. Meek would pay those; I know that he was with us, and very active.

11814. Inglis, John, printer, Brunswick-place?—Yes.

11815. Kendall, William, plane-maker, Ogleforth?—Yes.

11816. Were they all paid the same?—I believe they were.

11817. None were paid 2*l.*?—I do not know that they were.

11818. Do

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11818. Do you know the fact either way?—Yes; William Duke received 2 *l.* 15 *s.*

11819. That was including the seven days previously?—Yes.

11820. Kendall, William, plane-maker, Ogleforth, did he receive 1 *l.* or 2 *l.*?—No; in fact, I did not recollect that I paid him till I was reminded of it.

11821. You cannot tell whether you paid him 1 *l.* or 2 *l.*?—I do not know which.

11822. Kidd, William?—There were three Kidds, and one of them got paid, and the others swore most tremendously because they did not get paid.

11823. Masterman, Henry, cabinet-maker, Cole-street?—I do not know anything about him; Mr. Storry thought that he was in the books; some of the others Mr. Storry suggested.

11824. Mr. *Hill.*]—You must give your own memory of it?—If I do, I must reduce that list.

11825. Mr. *Wrangham.*]—Who else assisted you in making out the list?—Mr. Pashell; he did not know many of the names.

Mr. *Storry* and Mr. *Theakstone*, were again called in.

Mr. *Storry* and Mr. *Theaksione.*

11826. Masterman, Henry, cabinet-maker, Cole-street, do you remember him being on the list?—(Mr. *Theakstone.*)—I do not remember him.—(Mr. *Hanson.*)—I have not the slightest recollection of him.

11827. Mr. *Wrangham.*]—You were to make a list from your recollection?—I made a list according to my recollection and belief, that they were paid.

11828. You speak to the best of your belief?—Yes.

11829. Officer John Farnell, he is a cabinet-maker?—Yes.

11830. Preston, William?—I do not know whether I paid him or Mr. Sheriff Meek.

11831. Is he a labourer in Goodram-gate?—Yes.

11832. Proctor, Godfrey, cordwainer, Girdler-gate; Rawdon?—I do not know whether I paid Rawdon, or whether Mr. Meek paid him; he was dissatisfied.

11833. Is he a brush-maker in Bridge-street?—No, he lives at Monk-bar.

11834. He is the cabinet-maker?—Yes; if he is in Mr. Meek's list, of course, I could not pay him.

11835. Ringrose, John, labourer, Peter-gate?—Yes.

11836. Robinson, Edward, whitesmith, Goodram-gate?—Yes.

11837. Robinson, Francis, coal-dealer, Monk-gate?—Mr. Storry suggested him.

11838. Mr. *Hill.*]—Are you positive of it?—No.

11839. Mr. *Wrangham.*]—Do you speak to the best of your belief?—Yes.

11840. Rounthwaite, John?—Bell suggested that.

11841. Mr. *Hill.*]—Has he been suggesting to you?—Yes.

11842. Mr. *Wrangham.*]—Sadler, John, shoemaker, Garden-place?—I do not remember him myself.

11843. Whose man was he; Mr. Storry, do you recollect him?—(Mr. *Storry.*)—No.

11844. *Committee.*]—Who did vouch for that name?—I cannot say; we were all setting together, and I thought we were making out the best list we could.

11845. Mr. *Wrangham.*]—Santon, Thomas?—(Mr. *Hanson*).—Yes.

11846. Is that a tailor in Providence-place?—I do not know whether he is a tailor.

11847. Was Mr. Bell present when those men were paid?—No, he was in the other room, and Mr. Bell came to the table.

11848. How does he know about this list?—He knows a great deal more than people are aware of.

11849. Does he know about people being paid?—Yes.

11850. What is he?—He sets down for Mr. Lowther's party, at least he has done.

11851. *Committee.*]—Would those names that you are now stating form a part of the lists which are in the possession of Mr. Wood?—That is my opinion.

11852. Mr. *Wrangham.*] The list that you gave to Wood was the list by which the payments were made?—Yes.

11853. John Spink, shoemaker?—(Mr. *Storry.*)—I do not recollect him; in fact, I was not present when they were paid.

11854. Mr. *Wrangham.*]—Taylor, Robert, wood-turner, Jubber-gate?—(Mr. *Hanson.*)—It would be far more satisfactory to me if that was not put in, because it is made out from memory; I am quite confident that Mr. Wood has the book.

11855. Do not you bring this list in as containing, to the best of your belief, parties that were paid?—Yes, and I think that I can speak as to the majority of them.

11856. This list is without any description or place of residence to each, and therefore I am going over the list to add the residence of those; Thompson, John, cabinet-maker, Swine-gate?—(Mr. *Storry.*)—Yes.

11857. Tireman, William, gentleman, Monk-bar?—(Mr. *Hanson.*)—Yes; he is called gentleman; he is out of trade; he voted for Mr. Lowther and Mr. Dundas.

11858. Is he a watchman?—No, I do not think he is anything; he has a very small property, just enough to keep him in existence.

11859. Wales, Martin, coach-smith, Swine-gate?—Yes.

11860. Walker, Peter, carter, Peaseholme-green? Did you suggest him, Mr. Storry?—(Mr. *Storry.*)—No.—(Mr. *Hanson.*)—It would be far more satisfactory to me to see those in Mr. Sheriff Meek's list.

11861. Walker's name is in that list?—Whoever is in Mr. Meek's list was paid by him.

11862. Wilkinson, William?—I think I paid him.

11863. Is that in St. Andrew-gate?—Yes.

11864. Can you tell us exactly what you paid William Wilkinson?—I think he got 3*l.* 15*s.*

11865. That would be 1*l.* 15*s.* for seven days, and 2*l.* for the eight days' work?—Yes.

It appeared on the poll-book that he voted a plumper for Mr. Dundas.

11866. Wilson, Peter William, shoemaker, Aldwark?—You suggested him, Mr. Storry; I cannot say that he was paid; I am sure I do not know him at all.—(Mr. *Storry.*)—I understood that he had been paid.

11867. From whom?—From a person who had seen him paid; in fact, I knew nothing at all about it.

11868. Mr. *Wrangham.*]—Do you believe or not that he was paid?—No, I could not swear that; in fact, I know nothing about that list, except that I put the names down.

11869. Do you believe that he was on your list?—I have a recollection of the name.

11870. *Committee.*]—What induced you to put his name down?—I did not put his name down.—(Mr. *Hanson.*)—That is my handwriting, and Mr. Storry said that he thought he was one that was paid; I am sure the Committee will get the correct list.

11871. Mr. *Wrangham.*]—Richard Wood, cordwainer, Townend-street?—Yes.

11872. What did he get?—A sovereign.

11873. Are you sure that he got no more?—Yes; I could take my oath to it.

11874. Was your ward list sent to Mr. Wood?—I had no ward list whatever.

11875. John York, coach-smith, in Lord Mayor's-walk, is he one?—Yes, I believe he is; I should wish it to be distinctly understood that I have done this entirely from memory, and with the assistance of Mr. Storry and my young man, and I do not vouch for its accuracy, but I have no doubt you will have a complete list from Mr. Sheriff Meek.

11876. *Committee.*]—If that list should prove inconsistent with the names you have handed in, you would think that yours was incorrect?—No doubt of it; I am speaking from memory entirely.

11877. Mr. *Wrangham.*]—Did you pay George Lupton anything?—No, I could not; he is not a freeman.

11878. He wanted to take up his freedom?—I have lent him some money to do that since the election.

11879. Was there any condition annexed to lending him some money?—Not the slightest; he is a man that has worked for me some time.

11880. Was

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11880. Was there no condition of this kind, that he should get two splits from his father and his brother?—It was since the election.

11881. You might speak to him before?—No, I have no recollection of it.

11882. Can you take upon yourself to say that you did not?—I never recollect making the observation. George Lupton is in my employ, and a man that has been in my employ for some time.

11883. Can you take upon yourself to say that you did not, either in the terms that I have mentioned or in some other way, promise him the loan or gift of this money to take up his freedom if he would get two splits from his family?—I do not remember anything of the kind; we saw his father in the canvass; he was lame, and he promised his vote without saying a word of any description.

11884. Can you take upon yourself to say that you did not make a condition, or hold out an understanding to your workman, George Lupton, that you would take up his freedom for him if he would get two splits from his family?—Certainly not.

11885. Then is that without foundation?—It is; he borrowed the money of me subsequently to the election, I think.

11886. Are you quite sure that it was subsequently to the election?—Yes, I think it was; I cannot tell the day or the month.

11887. I am asking you as to a conversation between you and Lupton before the election?—I am sure I do not recollect.

11888. You must remember it one way or another?—No; I know George Lupton; I have spoken to him for being so foolish as not to take up his freedom before his child was born.

11889. Did you not say anything about his getting two splits from his family?—No, I could not make such a proposal; I did not know that he had a brother.

11890. Cannot you undertake to say that there was no understanding between you and George Lupton as to your taking up his freedom if he would give you two splits?—I do not recollect.

11891. Can you swear that nothing of the kind passed?—I cannot swear that nothing of the kind passed; there was something said of his freedom; he said that he had not the money to take up his freedom, would I lend him the money; I do not know what I did lend him.

11892. I ask you whether there was not, at the time of this first conversation between you upon the subject of his taking up his freedom, anything said respecting his getting two splits from his family?—No.

11893. Can you say, aye or no?—No, because it is so long ago.

11894. *Committee.*]—How long is it?—I cannot say whether it is two or three or four months.

11895. When you lent him the money to take up his freedom was it in contemplation of the benefit that he was to receive in future, or in consideration of some promise previously?—As an act of kindness.

11896. Was it in reference to a promise that he had given you?—I do not recollect anything of the kind.

11897. Mr. *Wrangham.*]—It is not a thing likely to be forgotten?—I could not have done it; I do not know.

11898. You know that he went to take up his freedom?—Yes.

11899. How long has he been in your employ?—Whether one, or two, or three years, I cannot state.

11900. I want a direct answer, aye or no, whether you did engage to get his freedom if he would get you the splits from his family?—That was not the consideration.

11901. Was there any conversation passed between you and him upon the subject?—I do not recollect.

11902. Can you take upon yourself to say that it did not pass?—I will not, because I do not recollect.

11903. Have you no other explanation than that to give to the Committee?—I have not, because I have talked of his freedom with him many years ago.

11904. *Committee.*]—Can you say that it did not take place?—No, I cannot, because I had had conversation with him several times about his freedom two years ago.

11905. You said that he had not been with you for three years?—He has not been with me the whole time, because he was unwell.

 11906. When

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11906. When did he first come to you?—I cannot tell whether it is three years or four.

11907. Mr. *Wrangham.*]—Did you find two of his family vote for Dundas?—I believe I did.

11908. And you have advanced the whole of the money for his freedom?—I do not know whether I advanced the whole.

11909. *Committee.*]—Had those persons ever voted for Mr. Dundas before?—I believe the old man had before.

11910. Had the father voted in the Orange interest before?—I believe he had, but I cannot state; I recollect particularly canvassing him.

11911. Were those two persons, the father and the brother, employed as messengers on behalf of Mr. Dundas?—I believe the brother was.

11912. Was the taking into employment as messengers at all in consequence of this conversation?—Not the slightest; I could not say that the name was down till I saw Mr. Storry's books. From reference to the poll-book it was proved that in the election of 1830, when Mr. Bayntun was the Tory candidate, the two, the father and son, voted plumpers for Bayntun, and in 1832 split between Petre and Bayntun, and in 1835 they voted split votes between Mr. Lowther and Mr. Dundas.

11913. Mr. *Wrangham.*]—Cannot you now tell us something more about this conversation?—Indeed I cannot. I recollect having some conversation with Lupton's wife about the freedom; she smiled, and said it was a pity he had not taken it up.

11914. When was that?—Three or four months before the election, I think.

11915. Can you say that you had not some conversation with him?—No, I cannot, being in my employment daily.

11916. And you cannot tell whether a conversation of the kind alluded to passed?—No, I cannot.

11917. Did you give William Copley, painter, in George-street, a pound after the election?—I did; I think he is a publican.

11918. Do you recollect William Wand, tailor, Peter-gate, being upon your list?—There was George Wand.

11919. A tailor?—I do not know what his trade was; he was one of the band.

11920. Was he paid?—No; he has blown me up since, and says that he will not vote for us again.

11921. Who was that?—George Wand.

11922. Why was he not paid?—Because he was paid as a musician, and they would not pay him for four days besides.

11923. What instrument did he play upon?—I believe a clarionet. We unfortunately lost part of our band; the best part of it.

11924. Robert Sanderson; was he one on your list?—Bootham ward; he is a baker. Yes.

11925. Can you remember the names of any on the Bootham ward list?—Yes.

11926. Robert Sanderson is one?—Yes.

11927. Is Peter Holden one?—Yes. I wish I had known of this; I would have brought the list.

11928. Frederick Wrenhard?—I cannot charge my memory.

11929. Working with Mr. Jennings?—I know Wrenhard used to be with us, but whether he was at the last election or not I cannot say.

11930. Matthew Summerwell, hair-dresser, Peter-gate?—Yes.

11931. Is that in Bootham?—Yes, I think it is.

11932. James Fenteman, a tailor in St. John's-place, do you remember him?—Yes.

11933. Do you remember canvassing him in 1835?—Yes.

11934. Did he make some difficulty about giving his vote?—He did.

11935. What was that about; not being paid in 1833?—Yes, for two days, in 1833.

11936. Was he paid for that time subsequently to his making an objection?—Yes.

11937. Who paid him?—I paid him or his wife; they were both together. I gave one of them the money.

11938. At what time of day was this?—In the evening.

11939. This

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11939. This was after he had refused to promise, because he had not been paid in 1833?—I cannot tell positively; it was somewhere about the time.

11940. Must it not have been after he had made the objection that you paid him?—Yes; but it was before the election, to the best of my recollection.

11941. Then you are sure that he made the objection, and that you went to his house and gave him the 10 *s.* before the election?—I think it was before the election.

11942. What service had he rendered in 1833?—He was a messenger.

11943. To whom?—Peter Wilkinson gave me his name.

11944. To whom was he a messenger?—Mr. Dundas.

11945. Was Mr. John Dundas the candidate in 1833?—No.

11946. Then he had been a messenger to Thomas Dundas in 1833, and had not been paid?—Yes.

11947. Mr. *Wrangham.*]—And gave that reason for not voting?—Yes; and I went to him, and asked him if he had been employed two days, and he said he had; and I paid him.

11948. He declined to promise for Mr. Dundas because he had not been paid that 10 *s.*?—Yes.

11949. *Committee.*]—How came it that if he had rendered service in 1833, his bill should have been left unpaid?—I was not aware of it till he said so; and I asked him if he had been employed, and he said he had, and he thought it very hard; and I said I would rather pay him out of my own pocket than that he should lose it.

11950. Would it be your province to pay him?—It was.

11951. Mr. *Wrangham.*]—William Cowper, shoemaker, in Peter-gate?—I do not recollect him.

11952. John Metcalfe, a plumber and glazier, in Jubber-gate?—Yes.

11953. Ruddock, William, a turner, in Gilly-gate?—Yes; he got a sovereign.

11954. James Manning, a shoemaker, in Peter-gate?—Yes.

11955. William Gibbons, a shoemaker, in Peter-gate?—Yes; I gave him 25 *s.*

11956. For five days?—Yes; he declared that he had been with us, and wasted his time for five days.

11957. All those other persons you gave 1 *l.* a piece to?—Yes.

11958. William Kendall, a plane-maker, in Ogleforth?—Mr. Bell suggested him. I believe he was not with us; and I believe he was down in Mr. Meek's list.

11959. Do you remember what he got?—No, I do not indeed.

11960. Robert Weatherill, turner, in Hungate?—I do not recollect him.

11961. John Mortimer, a labourer, in Ruffuth?—Yes; I did not pay him.

11962. Did you not give him some rent?—I am very glad you have mentioned that; the old man I did not give the rent to, but he took the liberty of taking it. I said that he should have for the four days, and he was not content to take that; but he did not pay me his rent.

11963. You have not proceeded against him for it?—No, I never intended.

11964. Did you give him some order for some corn?—That was in the March previous to the election of 1833, for four bushels of wheat.

11965. Was that about a pound's worth?—About 24 *s.* to the best of my recollection.

11966. Was that for services that he rendered in 1833?—Yes, I think it was in 1833.

11967. Was he a messenger?—No, for coming into York.

11968. Was he an out-voter?—Yes, he lived five miles out.

11969. You paid 5 *s.* a mile mileage?—Yes.

11970. William Lawson, a bricklayer, in Palmer-lane?—I do not recollect him; it is very possible.

11971. Robert Meek, a painter?—Yes.

11972. What did he get?—£. 3. 15 *s.*

11973. That is £. 1. 15 *s.* for the seven days' canvass, and 2 *l.* for the time as messenger?—Yes; there is one name upon that list of the name of Wood, he got a sovereign.

11974. Was he a plumper?—I believe he was.

11975. What is his Christian name?—Richard, I believe; what made me put his name down was Mr. Sheriff Wood is Richard Wood also.

11976. And that man you are positive received only 1 *l.*?—Yes, and George Meek the same.

11977. Was he a plumper?—Yes.

11978. You say to the best of your knowledge about the others; can you speak with considerable certainty?—Yes, I can.

11979. W. Kitchisides, in North-street?—I had nothing to do with him.

11980. John Hardy, a cowkeeper, in Queen-street?—I do not know the man.

11981. William Ruddock, a shoemaker, in Swann-street?—I do not know him; I think he would be in Mickle Gate-street, because Mr. Wood was particularly careful in revising all those things.

11982. Do you remember giving orders for drink at the different public-houses?—Occasionally I did.

11983. That was drink to be given to the Orange drinkers?—It was; you are quite right; not to the Orange voters, for they were chiefly constables, and the men that carried flambeaux, and so on.

11984. A man being a voter would not, on that account, be excluded?—Certainly not.

11985. Do you remember John Dent, a whitesmith, paying his wife 1 *l.*?—I think I do.

11986. Thomas Bickers, in St. Saviour's place?—Yes; he got 2 *l.* it was.

It was proved from the poll-book that he voted a plumper for Mr. Dundas.

11987. Did he get any part of that before he voted?—No, not from me.

11988. Thomas Fountain, Tanner's-row?—I cannot recollect him.

11989. Do you remember leaving 10 *s.* at his house before he voted?—No.

11990. On what ground did Bickers receive 2 *l.*?—For eight days' service; Mr. Wood sent the money for that.

11991. Can you remember this Mr. Fountain, in Tanner's-row, whether you left 10 *s.* for him?—No, upon my word I do not.

11992. Can you say positively you did not do it?—No, I will not.

11993. William Gibbons, a shoemaker, in Hungate, did you give him 10 *s.* for any messengership in 1833?—I cannot say: Fenteman is the only man that I recollect.

11994. You have talked of those lists which were divided into four, and sent to the different wards; did you go over them and examine them with Mr. Wood?—No, I did not.

11995. Not at the time?—No, Mr. Wood said that he was sitting up very late in the night to arrange those lists, in order that no men should take two services.

11996. Was your list marked in the same way as the list that we had just now, with three columns and D. B. L. at the top?—Yes.

11997. Did they indicate which way the men voted?—They did.

11998. *Committee.*]—The list was so marked in those three columns when it was put into your hands by Mr. Wood?—Yes.

11999. Mr. *Wrangham.*]—You understood that to designate the way in which each man voted?—Yes.

12000. *Committee.*]—Was there any way in the list to designate the amount to be paid to each individual?—I believe there was.

12001. Mr. *Wrangham.*]—Do you remember paying in a room in Davey-gate, belonging to the tavern?—No, I do not.

12002. I do not mean in this election, but in the election for 1833?—No, I do not.

Cross-examined by Mr. Hill.

12003. The messengers for 1833, who were actually employed, were paid?—Yes.

12004. When you gave Fenteman the 10 *s.* did you understand and believe that he had been really employed, but had been omitted to be paid?—Yes.

12005. Do you know how he voted?—No, there was no poll-book published.

12006. He voted a plumper for Mr. Lowther?—I do not know that; there was some poor man absolutely returned me the 10 *s.* and would not receive it.

12007. What for?—I did not give him the 10 *s.*

12008. What for?—I do not know; he returned me the 10 *s.*

12009. Was he one of the messengers of 1833?—I believe he was.

12010. You have spoken of a person of the name of Mortimer, who received 1 *l.*

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1 *l.* from you?—No, he did not receive anything from me; he said he would have his half-year's rent; he would not be worse off than his lads; they had each 2 *l.* from Mr. Lowther.

12011. And he stopped the rent, and you have not got his rent?—No, never; and I asked him whether they had got the 2 *l.*, and I think he said that they had got it at Shepherd's, under the savings' bank.

12012. Is that the man who delivered out the parcels?—Yes.

12013. Was that told you that each of the boys had a parcel from Lowther?—Yes; but he was worse off, for they got 2 *l.*

12014. With regard to the drink that you have been speaking of, was that drink that was given to persons that were actively employed?—Yes, very active indeed, all day long.

12015. Enough to make them drunk?—No, a quart of ale after the fatigue of the canvass; and in one case I gave them 1 *s.* each that they might not have any drink, and I found that it was the most expensive way of the two, so many claimed it.

12016. Do you believe that setting down is a good plan, and one that contributes to purity of election or not?—No, quite the reverse.

12017. Do you think that there can be fair elections in the city of York as long as this plan of setting down exists?—No, certainly not; as a proof of it Mr. Dundas was defeated, and it is the most complete proof in the world; I was in his confidence; he would not allow me to give a farthing to the individuals; it is customary to give them something for them to drink.

12018. *Committee.*]—You are speaking now of Mr. Thomas Dundas?—Yes.

12019. Mr. *Hill.*]—Is that one of the facts that had led you to the belief that the purity system in York would not answer in the present circumstances?—Most undoubtedly it cannot answer.

12020. My learned friend has asked you with respect to a great many names; you have told us that you cannot take upon yourself to say that you have paid or assisted in the payment of each of them?—I would not say that that list is correct.

12021. But with regard to those that you did pay, were they all paid for actual services?—They certainly were.

12022. How came you, who have a strong opinion against setting down, to undertake it?—I was beset on all sides almost, I was beset by a great many gentlemen; members of our committee declared that they would get in two Tories unless we set down.

12023. Had Mr. Lowther begun to set down before this?—Yes, I was told so.

12024. Was it in consequence of that report that you were assailed by persons wishing your friends to do the same?—Yes.

12025. You say that it was necessary to do it?—Yes; they said that they would get in two Tories if we did not do it.

12026. If you did not set down, was there reason to fear that another Tory candidate would have been brought there?—Yes.

12027. That operated upon your mind?—Yes.

12028. And induced you to resort to setting down?—Yes.

12029. Though you have been engaged in it yourself, have you any doubt that it is a most mischievous system and fatal to purity of election?—Fatal to purity of election.

12030. And a mischievous system?—Yes; it does a great deal of good to the poor fellows; I know some pay their rent by it; I recollect one man who signed the requisition to Mr. Dundas, and promised to vote for Mr. Dundas, in fact, to me before the election, and he plumped for Lowther, and said the sovereigns came in good time for his rent.

12031. Who was that man?—Jonathan Turner; I know him very well; I had done him service some two or three years back.

12032. Is it Jonathan Turner, whitesmith, College-street?—It is.

12033. Did he tell you that he had received two sovereigns?—He showed me the letter.

12034. Have you it in your possession?—He was rather boasting, saying, "Look how genteely they do it," and he offered to give the letter to me, and I said, "If you will, I will have some fun with the Blue party;" he said, I should not have it, and he took it and burnt it; he said that the reason he would not vote for Mr. Dundas was, because I would not give him a gill of ale.

Re-examined by Mr. Wrangham.

12035. It was the absence of the gill of ale that led him to go over to the other side?—So he said.

12036. You would not have scrupled to give it him?—No.

12037. *Committee.*]—You say that this is a very corrupt system; you employed all the persons?—No; 60 or 70 who were set down in Mr. Storry's book plumped Mr. Lowther, and 60 or 70 divided between Mr. Lowther and Mr. Dundas; they were not satisfied with what Mr. Storry gave them, and they went away; there was Beans, an old Orangeman, and another man of the name of Bean, an Orangeman.

12038. Who received nothing from Mr. Dundas?—No, they never asked for it.

12039. Did they do any work?—No.

12040. Mr. *Wrangham.*]—Those men were not considered as messengers for you, or did any work for you as messengers?—They never gave any service.

12041. But all those whom you paid had performed services?—To the best of my recollection, they had; I have very little doubt about it.

12042. Do you see anything corrupt in paying a person for his labour?—No, I do not.

12043. Is there reason for calling it corrupt, that there is an Act of Parliament which says that men paid as runners or messengers shall not be allowed to vote?—No, I do not say that exactly, but I call it a corrupt system that would proceed upon paying men who never did any services.

12044. It is corrupt paying men who do no services?—Yes.

12045. But you speak of the men under your knowledge as persons who did perform services?—Yes.

12046. Therefore you see nothing corrupt in the course which you followed?—No; one of my men was out of work, and he received something.

12047. Therefore those men you mention were *bonâ fide* employed?—Yes.

12048. And you see nothing corrupt in their payment?—No.

12049. You believe that it is necessary to have a great number of messengers employed on behalf of the candidate in the election?—I believe that we could do better without them.

12050. Do I understand you employed them to do you harm?—No, we employ them in self-defence; we are obliged to employ more men, because there is a system going on of giving men drink, and so on, getting votes from us.

12051. As long as that system prevails in human nature it will be necessary to have messengers to be employed?—If you adopt vote by ballot it would do away with it; they would not then congregate in that kind of way.

12052. I am speaking of the system without vote by ballot; vote by ballot does not exist at present; under the existing system of law, and under the prevailing feeling of human nature, do not you think that the employment of messengers will be necessary?—Certainly.

12053. Do not you therefore look, in order to cure that system, rather to the introduction of vote by ballot, than to any other means being taken?—It can be checked only in two ways; by the candidates settling beforehand not to employ more than a certain number of messengers, and rigidly adhering to it, or voting by ballot.

12054. But there is always a difficulty in the candidates making that agreement, because their friends may vary from them?—Yes, there is.

12055. And there is another difficulty against vote by ballot, that the House of Commons will not pass it; therefore, it being an impracticability to introduce either of those remedies, do not you believe that messengers must be employed?—They must be for self-defence; because it is impossible, one man acting on impurity, that the one can get on on the contrary system.

12056. So that, in the existing system, it is necessary to employ those messengers at the election?—It is certainly.

12057. And that with a view to look after the poll, who are likely to be drawn away by opposing parties?—Yes, in various ways.

12058. Putting aside the miserable system till it is cured by those remedies which you suggest, and looking at it as inevitable, do you see anything in the employment of messengers that is corrupt?—No, I do not see that it is corrupt if messengers are employed.

12059. As far as you know, the messengers were employed?—Yes, and very hard duty they had.

12060. Whether

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12060. Whether others adopted the same practice, you cannot say?—No, no further than common report.

12061. And common report injurious to other parties, you would hear from your own party?—I have no doubt about it.

12062. And that, therefore, is the value of common report about election matters, that it is the report of one side against the other?—Of course it is.

12063. You mentioned the name of Peter Wilkinson; was he employed under you?—No, not at the last election, only in 1833, he paid a few messengers.

12064. On behalf of Mr. Dundas?—Yes.

12065. And some of those he did not pay till the election of 1835?—Yes; there was one man that I gave 10 *s.* to.

12066. Was not there one man that brought back 10 *s.*?—Yes; he gave Wilkinson or me the 10 *s.*

12067. That was in 1835?—No, long ago; two years ago.

12068. What did Wilkinson get himself?—I should think he would get from 5 *l.* to 5 *l.* 10 *s.* or 5 *l.* 15 *s.* He was messenger in the committee-room from the beginning of the election till the termination.

12069. Were there many of those messengers?—Two or three of those men, I know.

12070. In the general committee?—Yes.

12071. They got between 5 *l.* and 6 *l.* a-piece?—They did; they were engaged in the whole election, from the commencement to the termination.

12072. Do you think it was an extraordinary remuneration?—No.

12073. Do you think that it was an extraordinary remuneration, considering the circumstances of the election, 5 *l.*; taking all the rough work that they had to do day and night?—No.

12074. When was the payment made?—In March.

Examined by the Committee.

12075. If the candidates, in contesting York, were to agree that they would employ no messengers, and were to keep to that, do you think that the election would be better conducted without messengers?—Yes.

12076. And if vote by ballot were adopted, messengers are not needed?—That is my opinion.

12077. But messengers could not be done without, unless one of those remedies was applied?—If one party set down and the other did not set down, it is impossible.

12078. Understanding by setting down that which you have described as your practice, paying for *bonâ fide* services?—Yes.

12079. You paid a considerable number of those persons yourself?—Yes.

12080. From whom did you get the funds?—From Mr. Wood.

12081. Where did you get them from?—I cannot say.

12082. What might be the amount of money that passed through your hands?—One hundred and thirty pounds.

12083. Any other money but that?—Yes, there was 30 *l.* more.

12084. Thirty pounds beyond what you paid for messengers?—Yes.

12085. That was repaid to you by Mr. Wood?—Yes, in cheque.

12086. In his own cheque?—Yes, in one instance.

12087. Can you tell how the other was paid?—The cheque he sent to me; and I do not know whether it was signed by him or Mr. Elsey, the chairman.

12088. Have you any means of knowing from whom that money originally came, and by whom it was furnished?—No, I have not the means of knowing; Mr. Wood told me that he was very much out of pocket.

10089. Do you believe that he furnished it out of his own pocket?—No.

12090. The main sum would be reimbursed to him?—Yes.

12091. Have you no means of knowing by whom?—I should think by Mr. Dundas or his friends, his father or his brother.

12092. Have you any reason to know whether it was the father or brother, or Mr. Dundas himself?—No.

12093. Mr. Wood repaid you the money you advanced?—Yes.

12094. You forgave one man a rent of 1 *l.* 10 *s.*?—I did not exactly forgive him; he would not pay it.

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12095. Has Mr. Wood paid you for that?—He paid me 1 *l.*, and the other 10 *s.* I do not know whether I got it or not; but I know, when I paid the 24 *s.* for the wheat, I charged only 1 *l.*

12096. There is a person of the name of Lupton; you do not recollect whether anything passed regarding the votes of two of his family, when you advanced the money for his freedom?—No; it was since the election that I advanced the money.

12097. Then before the election, did nothing pass between him and you upon the subject?—I had two or three conversations with him about taking up his freedom, when his wife was in the family-way, and he said he could not afford to take it up.

12098. You took a zealous part for Mr. Dundas in the elections?—Yes.

12099. This man had two relatives who were voters?—Yes.

12100. Did nothing pass between you and the man you employed, as to the manner in which those men should vote?—I said something about his freedom, but I do not recollect what it was.

12101. Did anything pass about the votes of his two relatives?—I do not recollect.

12102. Would not you inquire as to the manner in which those two relatives of his intended to vote?—No, I did not indeed; for I do not know that ever I saw his brother to canvass him.

12103. The votes appeared to be for Mr. Dundas's party, without any previous knowledge on your part that they would so poll?—Yes, certainly, that the one would, because I did not see him; the other with Mr. Dundas I saw, he promised his vote.

12104. To you and Mr. Dundas?—Yes.

12105. But with regard to the votes of either of them, you do not recollect having conversation with your workmen?—No.

12106. When you paid those messengers, did you satisfy yourself by particular inquiry that they had all been employed in actual service?—No, I did not; not that all had, but I was sure that the greatest portion had, from seeing them in different places and at various times.

12107. You knew, in fact, from your own observation?—Yes.

12108. Their services were such as are not essential to the proper conduct of an election?—Not the slightest.

12109. So that supposing that each candidate would agree to dispense with them, the election might be well conducted without them?—I should think with eight or ten messengers in each ward, the election might be better conducted than with a larger number.

12110. What is necessary for the duty of a messenger, to go about with messages, you think that ten or a few more messengers for each ward would be sufficient?—Ten for each ward for canvassing, and you would want about half-a-dozen more for committee-rooms.

12111. If you were to allow 20 messengers for each ward, that would be as much as would be required?—Yes, I think it would.

12112. They are generally employed in work that is found for them, which is made a pretext for having them?—It is in that kind of way; if you do not take them they go to the other party, and you must have that plan to keep the men together.

12113. But if 20 men are necessary, how comes it that actual work is found for the remainder?—Because they give them a great deal more to do, and you have men to take out notes.

12114. Has the question of vote by ballot been a good deal canvassed at York?—Yes.

12115. You are an advocate for it?—Yes; from an opinion that no man can vote as he likes till it is adopted, and that Members will always give something to their voters till it is adopted.

12116. And you think that the present system at York cannot be well done away with, without vote by ballot?—After an investigation of this kind, I should be sorry to do with an election where you pay money at all.

12117. Do you think it can be done away with, without vote by ballot?—No; unless you can prevent candidates and their friends from giving away money; but I think after this investigation, that no man will be so foolhardy as to set down names.

12118. How

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12118. How will this investigation prevent that?—It will certainly prevent me from taking part; I think 20 messengers in each ward would do.

12119. In paying your men, if there are any persons who receive 2 *l.* while the rest received only 1 *l.*, are you clear that in no case a difference was made in consequence of men voting a plumper?—I should say it was made in consequence of his voting a plumper.

12120. Among those men who were paid, there were some whom you paid 2 *l.* in consequence of their voting a plumper?—If I were asked my opinion, I should say that is the fact.

12121. Those you gave eight days work to, instead of four; was that the case?—No, I will not say that is the fact, nothing of the kind.

12122. You do not consider that it is corrupt to make those payments to messengers, provided they give service?—Certainly not.

12123. Does not that depend upon the rate at which the service is paid?—Yes; my men get 1 *l.* or a guinea a week, and I am satisfied that they spend as much in drink as makes up for the 3 *s.* a day.

12124. Is labour abundant in York?—No; the wages are very high indeed.

12125. Do you think that, considering the work that is performed, the payment is a moderate one?—Yes.

12126. Do the parties think it so?—Yes, the parties say they are the worse; for they begin the election on the Monday, and are on the stir for the whole week.

12127. Why do you think it is corrupt to carry on the elections with messengers, when the men give an equivalent for the money paid?—I think it has been proved by the result of Mr. Thomas Dundas's election.

12128. Is it not considered an advantage?—Yes.

12129. And that arises from its being a pecuniary benefit?—Yes.

12130. Do not you think that the receipt of a pecuniary advantage must be a corrupt system?—Yes.

12131. Do not you think that the messengers prefer that work, from the bustle and excitement, to joiners' work or bricklayers'?—They do.

12132. You mentioned having spoken to some persons who had received sovereign letters?—Yes, I have spoken to several.

12133. What interpretation did those people put upon the sovereign letters; from whom did they suppose they came?—Mr. Lowther, undoubtedly; there are not two opinions upon it.

12134. Have you ever heard any other opinion expressed upon it?—No; if anybody was to express a contrary opinion, he would be only laughed at.

12135. Those payments that were made by Mr. Dundas to his messengers, were made a considerable time after his election?—Yes.

12136. Was it done to prevent the payment injuring the Representative, or running the risk of vitiating the vote?—No, we had no feeling of the kind.

12137. Why did you not then make the payment immediately?—I had not the management of the funds; if I had had my own way, every man should have been paid instanter.

12138. Are you not aware that by law such a payment would vitiate the vote of the party voting?—I am not aware of that.

12139. Are not the people of York generally aware that voters employed for money to give *bonâ fide* services for the election, are disqualified from giving a vote?—I cannot say that they were aware, but I should think not.

12140. Do you think that there would be anything more improper in paying voters for services performed by messengers, in sovereigns sent to them by the post, than by sovereigns given to them in a public-house?—The act itself is a sort of acknowledgment of the impropriety.

12141. Is there any greater impropriety in the payment being made in one way than in the other?—No.

12142. Supposing the payment to be in both cases for services performed?—No; in fact I was told by some of the voters that they liked it better, that it gave them no trouble.

12143. The voters who have received the money in this way were better pleased with the mode of payment by letters, than if it had been done in any other way?—Yes, with the genteel mode in which it was done.

12144. They were paid without having the trouble of going to fetch it?—Without wasting any time.

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12145. Probably when a man is paid at a public-house, the rest of the day's work is gone?—Yes, wherever they are paid.

12146. Are not a number of persons employed as bannermen and bill-stickers?—We never paid our bill-stickers that I know of; they charge it in the bill.

12147. We have heard of constables who are anything but constables; would they be employed?—No, they ought not; an offer was made to Mr. Graham, that if he would withdraw their constables, we would withdraw ours.

12148. Do you think that a voter is likely to be a better bill-sticker than one who is not a voter?—We had not any bill-stickers.

12149. Which should you consider was the most popular candidate at the last election?—I think Mr. Dundas and Mr. Barkley; I think of the three Mr. Barkley was, from the great numbers that he had to hear him speak.

12150. Do you think that Mr. Barkley could have been returned if there had been no setting down?—Mr. Dundas would, beyond all doubt, if there had not been a single shilling paid, but I cannot say who would have been the other.

12151. Under any circumstances whatever Mr. Barkley could not have succeeded?—Not under any circumstances whatever; if there was any setting down by any party Mr. Barkley could not have succeeded, but if there had been no setting down I think that Mr. Barkley and Mr. Dundas would have been returned.

12152. But there being setting down on the part of Mr. Lowther, and none on the part of Mr. Dundas, which would have been returned?—Mr. Dundas.

12153. You mentioned three or four persons who had been paid 2 *l.*, and you said that they had been eight days employed?—I do not say that.

12154. Did you not say that?—No, the money was given me for eight days' employment.

12155. Mr. Wood gave you the money to pay the men for eight days' employment?—Yes.

12156. When Mr. Wood gave you the 2 *l.* to pay to some men, was it on the ground of eight days' employment?—Yes.

12157. When you say that you have no doubt that a man in York would be laughed at who should say that the money enclosed in those letters did not come from Mr. Lowther, you mean from Mr. Lowther or some person friendly in his cause?—Yes; I am of opinion that Mr. Lowther knew nothing about it till after it was paid. Mr. Lowther declared that no money should be paid, and thanked them for their gratuitous attendance.

12158. When?—Upon the hustings.

12159. He declared that no money should be paid?—Yes, that no man would get a sixpence, was his expression, but for actual services; and Mr. Barkley laid hold of the expression and commented upon it, that if any body did get paid—I do not know that he held out the threat of petitioning or not, but he said "You hear what Mr. Lowther says, that none of you will be paid for your votes."

12160. Then perhaps you think that Mr. Lowther did not know anything of them, except by the public proceedings?—That I cannot say.

12161. Do you mean that your opinion is, that the payment was made by some friend in his cause?—It is the impression on my mind that Mr. Lowther did not know it.

[The Witnesses withdrew.

Mr. *Wrangham* proposed to put in evidence, a letter from the under-sheriff of York, which proved only one fact, that the taking down the names for Duncombe and Walker did not commence till a certain day.

Mr. *Hill* objected to the letter being put in evidence, inasmuch as there would be no opportunity of cross-examining.

Mr. *Wrangham* commenced his reply, when he was interrupted by the Chairman, who stated that the Committee were of opinion the letter might be received. The letter having been authenticated by Mr. Petres as the hand-writing of Mr. Gray, was delivered in and read as follows:

"Dear Sir, "York, August 16, 1835; N. R. Election.

"On Friday, the 9th January, it was determined to engage persons for the show of hands, and also body-guards, at the nomination.

"No authority was ever given by the committee for body-guards at the chairing (22d January), but it was determined on the evening before (by two or three of us),

us), of necessity, in consequence of statements as to an attack which was intended to be made on Mr. Duncombe, by an organized mob.

" Yours truly,

" J. Richardson, Esq." " *Wm. Gray*, jun."

Mr. *Wrangham* stated that he had now closed the whole of his evidence.

Mr. *Hill* submitted that Mr. Wrangham should first be called upon to sum up the evidence.

Mr. *Wrangham* resisted the application, inasmuch as the whole of the evidence was before the Committee, and contended that Mr. Hill should first address the Committee.

The Committee-room was cleared.

After some time the Counsel were called in, and informed that the Committee had determined that Mr. Hill commence; that Mr. Wrangham then speak; that Mr. Hill have the privilege of replying, and that Mr. Wrangham then be allowed to address the Committee again.

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APPENDIX.

LIST.

No. 1.—Alphabetical List of the Voters who received Money Letters through the York Post-office, as collated from the Poll-book of 1835.

No. 2.—List of Persons to whom Articles were delivered by Robert Shepherd.

No. 3.—List of Persons paid as Messengers on the part of the Honourable J. C. Dundas.

— No. 1. —

ALPHABETICAL LIST of the VOTERS who received MONEY LETTERS through the *York* Post-office, as collated from the Poll-book of 1835.

[*The Valuation of the Rents set opposite to each Name is taken from the City Rate, and each name so marked is a* 10*l. Householder.*]

Rent.		
	Aydon, John, Jubbergate	L
	Allen, William, Coppergate	L
	Ambler, Thomas, College-street, (Minster-yard)	L
	Adams, David, Spurriergate	L
	Ayrey, John, Feasegate	L
	Anderson, John, Silver-street	L
	Ambler, John, College-street	L
	Aspinall, James, South entrance, (Minstergates)	L
10*l.*	Armitage, William, George Inn-tap	L
	Atkinson, George, Fetter-lane	L
	Archer, Thomas, Bishophill, (St. Mary's-row)	L
	Ambler, John, Tanner-row	L
	Allen, Richard, Wellington-row	L
	Askwith, William, Marygate	L
	Askwith, J., Gillygate	L
	Ambler, William, Shambles	L
	Atkinson, George, New Haymarket	L
	Anderson, William, Walmgate	L
	Ayers, William, Hope-street	L
	Archbell, Robert, Fossgate	L
23*l.*	Arthur, Thomas, Hungate	L & D
	Arthur, Matthew, ditto	L & D
	Alderson, Jacob, Fossgate	L & D
26*l.*	Anderson, William, Walmgate	L & D
	Armitage, Richard, Goodramgate	L & D
	Avison, William, King's-square	L & D
	Aspinall, George, Jubbergate	L & D
	Briscomb, Thomas, St. Andrewgate	L
	Butler, Edward, Huntington, (out of the city Parliamentary boundary)	L
	Buckle, Joseph, Peter-lane	L
12*l.*	Bootland, Matthew, Jubbergate	L
28*l.*	Bean, William, ditto	L
	Bean, Joseph, ditto	L
10*l.*	Bell, William, Girdlergate	L
12*l.*	Bulmer, George, sen., ditto	L
10*l.*	Bowman, John, Goodramgate	L
12*l.*	Berrimam, William, ditto	L
20*l.*	Bell, Henry, Petergate	L
	Barnby, Thomas, Swinegate	L
	Barnby, Robert, ditto	L
	Bland, John, ditto	L
	Braithwaite, Thomas, Little Blake-street	L
	Braithwaite, Thomas, ditto	L
	Brownridge, R., Stonegate	L
	Braithwaite, Thomas, Aldwark	L
15*l.*	Barnard, William, ditto	L

Rent.		
	Barra, G., St. Andrewgate	L
	Benson, William, ditto	L
30*l.*	Bowser, William, North-street	L
40*l.*	Bell, Quintin, Thursday-market, (St. Sampson's-square)	L
	Bean, Thomas, Grape-lane	L
	Bean, John, Little Stonegate	L
	Bulmer, John, Walmgate	L
12*l.*	Brown, George, Scarbro'-parade	L
	Brown, William, St. Andrewgate	L
	Bewlay, John, Chapter-house-street	L
	Barnard, Mark, Newgate	L
	Birkinshaw, William, Shambles	L
	Bradley, Luke, Shambles	L
	Bean, Christopher, Hungate, (Palmer-lane)	L
	Bleyer, John G., Garden-place	L
	Butler, William, Stow Bow-lane	L
	Brown, John, Palmer-lane	L
	Barritt, Benjamin, Fossgate	L
	Bell, William, Walmgate	L
25*l.*	Bell, Thomas, ditto	L
15*l.*	Blyth, John, ditto	L
16*l.*	Butler, John, ditto	L
	Birkinshaw, George, Hope-street	L
	Barker, William, Hungate	L
18*l.*	Bilton, William, Long Close-lane	L
	Bolton, William, sen., George-street	L
	Ballan, William, College-street	L
	Headon Boocock, John Edward, Shambles	L
	Briggs, John, Walmgate	L
	Bland, Matthew, Heworth, (out of the city Parliamentary boundary)	L
12*l.*	Berriman, Richard, Goodramgate	L
	Bridgewater, J., Minstergates	L
	Binnington, J., Clifton	L
	Barnard, W., Marygate	L
	Burdsall, T., Bootham-square	L
	Benson, J., Gillygate	
	Banks, J. M., Lord-mayor's-walk	L
	Bedford, J., ditto	L
	Brown, G., S. Parade	
	Bland, R., Heworth	
	Britton, William, ditto	L
	Bewlay, H., Barkerhill	L
	Bowman, John, ditto	L

Rent.		
	Barwick, J. Towend-street	L
	Brearey, G., Thief-lane	L
	Bulmer, J., Blossom-street	L
	Bell, G., ditto	L
	Bean, Thomas, Mount	L
	Berry, John, Dale-street	L
	Baines, Thomas, Castle-mills	L
	Braithwaite, William, George Inn	L
20 *l.*	Bean, William, (jr.), Spurriergate	L
	Beilby, John Alexander, North-street	L
15 *l.*	Bramley, William, Skeldergate	L
	Birbeck, Thomas, Trinity-lane	L
	Bramley, John, Tanner-row	L
	Bean, Robert, Providence-row	L
	Barker, Thomas, Simpson-row	L
	Billingham, James, Wellington-row	L
	Bootley, William, Micklegate	L
	Blyth, William, North-street	L
	Bentley, C., Monkgate, (Acomb)	L
	Bowman, H., ditto	L
	Bilbrough, William, Clifton	L & D
0 *l.* 10 *s.*	Beal, G., Layerthorpe	L & D
23 *l.*	Bellerby, John, King's-square	L & D
	Brown, William, Aldwark	L & D
	Burrill, John, Coney-street (Duke of York-street, works in Coney-street)	L
38 *l.*	Butler, E., Nicholas-lane (Lawrence-street)	L
	Brown, Richard, Walmgate	L & D
12 *l.*	Bell, David, ditto	L & D
	Brown, William, ditto	L & D
	Brown, John, St. Saviourgate	L & B
	Barker, William, Holdgate-lane	L & D
	Barker, J., College-street	L
	Blyth, William, Hope-street	L & D
	Bean, John C., Skeldergate	L & B
	C	
13 *l.*	Barmbrough, Charles, ditto	L & D
	Bakes, John, Wellington-row	L & D
	Brown, John, Middle W. Lane	L
	Cook	
	Cooper, Robert, Heworth	L
	Craven, Thomas, Swinegate	L
	Camidge, Richard, Hungate	L
	Calvert, James, Shambles	L
	Carey, Thomas, Hope-street	L
	Collier, Lane, Swinegate	L
	Collier, Joseph, ditto	L
	Clark, John, College-street	L
	Collier, John, Davygate (St. Sampson's-square)	L
	Coates, Thomas, Aldwark	L
10 *l.*	Cundall, Charles, North-street	L
	Creser, James, Skeldergate	L
	Cundall, William, Toft-green, (Mucklegate)	L
	Cundall, Peter, sen., Wellington-row	L
	Cundall, William, ditto	L
	Cundall, Mark Sykes, Tanner-row	L
	Clough, Francis, Barker-lane	L
	Coates, Peter, Albion-street	L
	Cook, John, Girdlegate	L
	Copeland, Charles, Dale-street	L
	Clark, George, Lawrence-street	L
	Cuthbert, George, Clifton	L
	Thomas	
	Cowl, J., ditto	L
	Collier, William, Bootham	L
	Conningworth, Robert, Redeness-street	L
	Clegg, Abraham, Clarence-street	L
15 *l.*	Cavett, William, Shambles	L
18 *l.*	Crumbie, George, St. Saviourgate	L
	Cook, James, Fossgate	L
16 *l.*	Cook, Robert, ditto	L
16 *l.*	Collier, Amb., ditto	L
	Creaser, J., Walmgate	L
	Cundall, Peter, ditto	L
	Carey, Thomas, sen., Hope-street	L
	Carr, Richard, ditto	L
	Crumbie, Richard, St. Saviourgate	L
	Camidge, Samuel, Fossgate	L

Rent.		
	Collins, John, Garden-place	L & D
	Carbutt, George, Walmgate	L & D
	Cobb, George, ditto	L & D
	Morritt	
	Camage, Samuel Matthew, Dale-street	L & D
	Chaplin, A., Lord-mayor's-walk	L & D
	James	
	Cotman, G., Layerthorpe (Duke of York-street)	L
	Clifford, T., Regent-street	L
	Clayton, J., Bootham	L & D
	Chapman, John, Walmgate	L & D
	Conningworth, Robert, Fossgate	L
	Dovenor, Mark, Peaseholm-green	L
	Darnbrough, Richard, Fetter-lane (Queen-street)	L
	Dent, Richard, Gaol (Micklegate)	L
	Dixon, Robert, Bishop-hill (Trinity-lane)	L
	Edward	
	Dutton, Edmund, St. Martin's-court	L
	Dale, Thomas, Micklegate (Newgate)	L
	Douglass, Richard, Tanner-row	L
	Darnbrough, Joseph, ditto	L
	Dale, William, Jubbergate	L
20 *l.*	Dobson, John, ditto	L
	Dent, Thomas, ditto	L
14 *l.*	Dale, E., Feasgate	L
16 *l.*	Dalton, George, Little Shambles	L
	Dickenson, Matthew, Petergate	L
	Dickenson, James, ditto	L
10 *l.*	Davison, James, Little Stonegate	L
	Dimmey, Thomas, Dale-street	L
	Dimmey, Thomas, jun., ditto	L
	Duffield, Francis, Clementorpe	L
	Dixon, George, Lawrence-street	L
	Dent, James, Walmgate	L
20 *l.*	Dutton, Robert, Fossgate	L
	Dent, William, Walmgate	L
	Dickinson, J., ditto (St. Dennis-street)	L
	Dent, B., ditto	L
16 *l.*	Darbyshire, Christopher, Nessgate	L
	Duckett, William, St. Dennis	L
	Doughty, Thomas, Little Shambles	L
	Dunn, Edward, St. Saviour's-place	L
15 *l.*	Dixon, James, Colliergate	L & D
	Duke, Henry, Pavement (lives in Garden-place and in P.)	L & D
	Dent, John, 3, Crane-lane	L & D
18 *l.*	Duck, George, Little Stonegate	L & D
	Doughty, J., Clifton	L
	Darley, T., Layerthorpe	L
	Edmunds, John, Davygate	L
16 *l.*	Eden, George, Peter-lane	L
	Edward, Charles, Silver-street	L
	Edwards, Robert, Newgate	L
	Emmerson, John, Girdlergate	L
10 *l.*	Earl, John, King's-square	L
	Thos.	
	Ealand, J., Aldwark	L
12 *l.*	Ellison, Thomas, Skeldergate	L
14 *l.*	Eyre, Thomas, ditto	L
	e	
	Eason, Mark, Tanner-row	L
12 *l.*	Ellison, Robert, Coney-street, (Brunswick-place, at Cattle & Barber's)	L
	Ellis, William, Skeldergate	L
	Ealand, John, Monkgate	L
	Emerson, John, Walmgate	L
	Ealand, John, Shambles	L
18 *l.*	Etty, John, Walmgate, (Shambles)	L
	Edwards, ——, Marygate, (Clifton)	L
	Earnest, Charles, Swan-street	L
	Foster, John, Micklegate	L
	Fewsdale, William, Tanghall	L
	Fall, J., Petergate	L
24 *l.*	Fenwick, John, Goodramgate	L
	Frankist, William, Muckey Peg-lane	L
	Fewsdale, Isaac, Little Blake-street	L
	Foster, Robert, North-street	L
	Field, John, Fetter-lane	L

Rent.		
	Field, George, Fetter-lane	L
	Fletcher, William, Providence place	L
	Fenwick, William, Wellington-row	L
	William Fountain, J., Bootham	L
	Forth, ——, Layerthorpe	L
11 *l.*	Fletcher, George, Shambles	L
	Fenwick, Matt., New Haymarket (Peasholm green)	L
	John Fearly, James, Dundas-street (Lawrence-street)	L
	Fentiman, James, St. John's-place	L
	Foster, Thomas, Stow Bow-lane	L
	Foster, William, Fossgate	L
10 *l.*	Fisher, Joseph, Staith	L
	Fowler, Charles, New-place (North-street)	L
14 *l.*	Ferrand, Thomas, Monkgate	L
	Fuesdale, John, Blossom-street	L
10 *l.*	Foster, John, Mount	L
	Fisher, Thomas, Nunnery-lane	L
	Fawdington, Robert, Lawrence-street	L
10 *l.*	Frost, C., Little Stonegate	L
	Gray, Benjamin, North street	L
	Gladding, W., Middle Water-lane	L
	Green, R., Lord-mayor's-walk	L
	Gilderthorpe, Thomas, Redeness-street	L
	Godson, William, St. Andrewgate	L
	Glover, John P., Peter-lane	L
53 *l.*	Grainge, Benjamin, Walmgate	L & D
	Gibbons, William, Hungate	L & D
	Graham, John, jun., Bishophill	L
	Greaves, John, North-street	L
	Grainger, J., Lawrence-street	L
	Giles, William, Coppergate	L
	Gibbins, J., St. Saviourgate	L
	Green, J., Caroline-place	L
	Gladin, John, sen., Middle Water-lane	L
	Gladin, John, jun. - - ditto	L
	Graves, William - - ditto	L
22 *l.*	Garnett, Thomas, Fossgate	L
14 *l.*	Hunter, John, North-street	L
	i Helstrop, William, Providence-row	L
	Hoyland, Joseph, Goodramgate	L
12 *l.*	Holmes, William, Grape-lane (Swinegate)	L
	Hollins, Henry, Minstergates	L
	Harmson, William, Goodramgate	L
	Hudson, John, Beddern	L
	Howard, Thomas, Jubbergate	L
	Hardy, T., Stonegate (St. Andrewgate)	L
15 *l.*	Hurworth, T., Goodramgate	L
	Henderson, W., Aldwark	L
	Henderson, Robert, ditto	L
20 *l.*	Hopton, George, Coney-street	L
	Habershaw, Henry, North-street	L
	Hick, Thomas, Albion-street	L
	Haw, William, Bishophill	L
	Hardcastle, Matthew, ditto	L
	Hardy, Robert, Providence-place	L
	Hodgson, Seth, Walmgate	L
	th Hustwick, William, Jubbergate	L
11 *l.*	Hick, William, St. Andrewgate	L
	Hilton, James, New Haymarket	L
	Hoyland, Richard, St. John's-place	L
15 *l.*	Hodgson, Thomas, Walmgate	L
	Hardy, Thomas, Fossgate	L
12 *l.*	Hubie, John, Walmgate	L
	Hardisty, William, Middle Water-lane	L
	Holgate, Thomas, Hungate	L
	Hair, William, Cornwall-place	
	Hall, J., Marygate	L
	Horsfall, J., ditto	L
	Hick, J., Gillygate	L
	Hall, G., Marygate	L
	Hesslegrave, W., Nunnery-lane	L
10 *l.*	Harper, W., Lawrence-street	L

Rent.		
	Hessay, John, Lawrence-street	L
	Harrison, J., Fishergate	L
10 *l.*	Hartley, C., Lawrence-street	L
	Houseley, A., Sampson's-square	L
	r Hooke, Aughty, Goodramgate	L
	Hodgson, Henry, Davygate	L
	Harrison, George, Aldwark	L
	Hare, J., St. John's-place (Hungate)	L
	Hopkinson, G., Bootham-row	L & D
	Hardcastle, J. - ditto	L & D
	Holliday, J. B. - ditto	L & D
	Houghton, John, Petergate	
18 *l.*	Hunt, Richard, Stonegate	L & D
	Howcroft, J., Dale-street	L D & B*
13 *l.*	Hart, J., Dove-street	L & D
	Stephen Hudson, Shepherd, Dundas-street	L & D
10 *l.*	Hielas, J., Groves	L
	Henderson, W., Townend-street (Groves)	L
	Hague, B., Walmgate	L
	Hill, Richard, Long Close-lane	L
	Hodgson, Thomas, Hope-street	L
	Holgate, G., Clifton	L
	Jackson, Cornelius, North-street	L
	Jackson, William - ditto	L
25 *l.*	Jebson, James, Skeldgergate	L
	Jennings, John, Trinity-lane	L
	Jennings, William, Barker-lane	L
	Jackson, William, High Ousegate	L
15 *l.*	Jackson, William, Walmgate	L
	Jackson, William, Jubbergate	L
	Johnson, William, Thursday-market (St. Sampson's-square)	L
	Johnson, George, Grape-lane	L
13 *l.*	Jackson, R., St. Andrewgate	L
	Johnson, J., Walmgate	L
	Johnson, Robert, Lawrence-street	L
	Jennings, William, Coppergate	L
	Jennings, J., ditto (Middle Water-lane)	L
12 *l.*	Jewett, T., jun., Shambles	L
	Jewett, T., sen. - ditto	L
	Johnson, J., Lord-mayor's-walk	L
	Jackson, Ph., Monkgate	L
	Jefferson, J., Walmgate	L
	Johnson, Thomas, Clarence-street	L
	Johnson, T., Gillygate	L
	Kilham, Thomas, Fetter-lane	L
	Kettlewell, Thomas, Skeldergate	L
	Kettlewell, William - ditto	L
	Kettlewell, John - - ditto	L
	Kettlewell, John, jun., ditto	L
	Kerridge, William, St. Mary's-row, Bishophill	L
20 *l.*	Kilvington, Thomas, Micklegate	L
	Knowlson, William, Queen-street	L
	Kay, John - - - ditto	L
	Knowles, George, Petergate (King's-square)	L
	Kirby, William, Grape-lane	L
	Knolson, John, Precentor's-court	L
	Knowles, R., Goodramgate	L
	Kirby, D., Walmgate	L
	Knowlson, C., Barkerhill	L
	Kettlewell, George, Dundas street (Palmer-lane)	L
	Key, George, Hungate	L
	Kirby, Robert, Long-close (Duke of York's place)	L
	Kirby, William, Hope-street	L
	Knowles, J., Bootham-square	L
12 *l.*	Knowles, G., Gillygate	L
10 *l.*	Kilvington, J., ditto	L
	Little, John	L
	Lund, John Charles, Bishophill	L
	Lambert, Richard, St. Mary's-row	L
	Leadley, John, Hungate	L & D
	Leadley, George, Walmgate	L & D
	Lawrance, Thomas, ditto	L & D

* *Vide* note in poll-book, p. 56.

Rent.		
—	Isaac	
	Lazenby, J., East Parade, which is on Heworth-moor, Scarbro'	L
	Lee, B., ditto	L
	Leetall, John, Bootham	L
	Lyon, J., Barkerhill	L
	Lambert, S., Swinegate	L
	Lyon, Charles, Minstergates	L
	Lyon, Thomas, ditto	L
	Lone, W., Petergate	L
	Ledger, R., Tower-street	L
	Lyon, William, Heworth-moor	L & D
	Lambert, J. Robson, Coppergate	L & D
	Letby, J., Lawrence-street	L
	Longthorne, P., Lady P. yard	L
	Lee, J., St. Saviourgate	L
35 *l.*	Lyon, Robert, Blake-street	L & D
	Leadley, James, sen., Walmgate	L
	Leadley, James, jun., ditto	L
	Lawrence, Edward, Walmgate, (St. Dennis-st.)	L
	Leadley, John, ditto	L
	Lund, Geo., ditto	L
	Lumley, E., Gillygate	L
	Lancaster, J., Marygate	L
	Lawn, J., Gillygate	L
18 *l.*	Midgley, George, Davygate	L
	Marshall, William, Beddern	L
	Mills, J., Walmgate	L
	Matthews, William, Jubbergate	L
	Morrod, William, Micklegate	L
	Mason, John, Simpson-row	L
17 *l.*	Musham, Frederick, Micklegate (St. Andrewgate)	L
	Machin, William, Carr-lane (Bishophill)	L
18 *l.*	Machen, Henry, Jubbergate	L
	Matthews, Charles, Newgate (Silver-street)	L
	Maude, Thomas, Bishophill	L
	Matthews, Thomas, Swinegate (Patrick-poole)	L
	Mills, William, Church-lane, Petergate	L
	Meynell, T., Ogleforth	L
30 *l.*	Mountain, George, Goodramgate	L
	Morley, William, St. Andrewgate (Aldwark)	L
	Masser, John, Walmgate	L
	Mosey, F., ditto	L
	Masterman, William, Hungate	L
	F.	
	Midgley, G., Stonegate	L
10 *l.*	Miller, G., Bilton-street	L & B
	Meynell, James, Petergate	L & D
	Masser, J., Clementhorp	L & D
	Mortimer, Josh., Walmgate	L & D
	Machin, G., Coppergate	L
	Martin, J., ditto	L
	Mountain, F., Clementhorpe	L
	Matthew, Joshua, Palmer-lane	L
	Musgrave, Christopher, Merchan- hall	L
	Masser, James, Fossgate	L
	Masser, John, ditto	L
	Mills, John, Walmgate	L
	Mawson, John, Coppergate	L
	Masser, Thomas, Pavement	L
	Motherby, J., Walmgate	L
14 *l.*	Marshall, William, Gillygate	L
10 *l.*	Noble, Thomas, Coney-street	L
	Nicholls, John, Skeldergate	L
	Nicholson, John, Trinity-lane	L
	Norman, M., Lord-mayor's-walk	L
	Noble, G., Bootham	L
15 *l.*	Naylor, Stephen, Aldwark	L & D
	Nell, Thomas, ditto	L
	Nicholson, T., Holgate-lane	L & D
	Noble, R., Peasholm-green	L
20 *l.*	Osgerby, Thomas, New Bridge-st. (Micklegate)	L
	Oates, C., St. Clement's-place	L
	Oglesby, J., Friargate	L
	Pollard, Josh., Coney-street (Jubbergate)	L
	Porter, Edward, North-street	L
	Patrick, George, Toft-green	L
	Patrick, John, New-street	L
	Pearson, Richard, Skeldergate	L

Rent.		
—		
	Pearson, Thomas, Skeldergate (Albion-street)	L
	Paver, W., Bilton-street	L
	Parker, G., Redeness-street	L
	Palister, William, ditto	L
12 *l.*	Parker, John, Barkerhill	L
	Precious, John, Heworth	L
	Pattison, Thomas, Thursday-market (Mucky Peg-lane)	L
	Prest, William, Petergate	L
18 *l.*	Powell, J., Fossgate	L
	Plummer, James	L
	Preston, William, Gillygate	L
	Pollard, C., Blossom-street	L
18 *l.*	Parker, J., sen., Fishergate	L
	Parker, J., jun., ditto	L
	Wm.	
15 *l.*	Pratt, T., St. Saviour's-row	L
	Pickering, James, P. Green (Layerthorpe)	L
	Pollard, C., Haver-lane	L
	Perry, William, Little Shambles	L
20 *l.*	Price, William, Goodramgate	L
	Patilla, G., Dundas-street	L
18 *l.*	Preston, R., Coffee-yard	L
	Percival, H., Walmgate	L
	Pearson, John, ditto	L
	Priestley, William, Goodramgate	L & D
	Pollard, John, Skeldergate	L & D
	Patrick, William, Toft-green	L & D
	Perry, B., Middle W. Lane	L
	Poole, Thomas, Hungate	L
	Pickering, George, Peasholm-green	L
	Proctor, Robert, Hope-street	L
	Pennalton, William, ditto	L
	Richardson, Thomas, Micklegate	L
	Robinson, John, Rosemary-lane	L
	Riley, Thomas, Bishophill (Nunnery L.)	L
	Richardson, Harman, ditto	L
	Richardson, Robert Ware, Micklegate	L
	Rothwell, W. C., Newgate	L
	Rigsby, Robert, Barkerhill	L
15 *l.*	Robinson, R., Fossgate	L
	Rickaby, Wllliam, Feasegate	L
	Richardson, Walter, Newgate	L
	Richardson, Thomas, ditto	L
	Roundwaite, James, Pump-yard	L
45 *l.*	Richardson, W., Stonegate	L
	Richardson, M., Stonegate (Coffee-yard)	L
	Richardson, George, ditto	L
	Rylah, William, Walmgate	L
	Ryley, T., Brearey's-ct.	L
14 *l.*	Ryley, John, Little Stonegate	L
20 *l.*	Robinson, F., Monk-bar	L & D
	Riccaby, Thomas, Lendall-street	L & B
	Relph, Thomas, Bootham-row	L & D
	Robinson, J., Dale-street	L
	Robinson, B., ditto	L
	Robson, R., Lawrence-street	L
15 *l.*	Roscoa, F., Coppergate	L
	Robinson, Edward, Goodramgate	L & D
	Ripley, James, Dundas-street	L
	Rotherford, Robert, Merchant's-hall	L
	Richardson, Richard, Shambles	L
	Richardson, Wm., Dundas-street	L
	Rhodes, James, Walmgate	L
	R.	
	Rochester, J., ditto	L
	Robinson, John, Trinity-lane	L
	Ryan, James, Long Close-lane	L
	Spetch, James, Coney-street	L
10 *l.*	Stead, Peter Y., ditto	L
	Spence, Thomas, North-street	L
33 *l.*	Simpson, James, Bishophill	L
	Smith, John, Skeldergate	L
	Scaddlethorpe, Richard, ditto	L
	Scaling, John, ditto	L
	Scott, Thomas, Tanner-row	L
11 *l.*	Stamp, William, ditto	L
	Simpson, John Jones, Queen-street	L

Rent.		
	Shipton, John, Tanner-row	L
	Scaddlethorpe, Christopher, Skeldergate	L
	Scott, Robert, Tryergate	L
	Scott, Martin, Beddern	L
	Smith, James, Jubbergate	L
	Stead, John, Swinegate	L
	Swan, John, Hungate	L
	Silversides, Thomas, M. Water-lane	L
	Scadlock, Henry, Rusby-place	L
	Shipton, William, Bishophill	L
18 *l.*	Scowby, Thomas, High Ousegate	L & D
	Smith, John, Tenter's-lane, Fossgate	L & D
	Settle, George, Walmgate	L & D
30 *l.*	Shackleton, George, Coney-street	L & D
11 *l.*	Snow, George, Skeldergate	L & D
	Smith, John, Micklegate	L & D
	Smith, John, Toft-green	L & D
	Steel, W., Hungate	L
14 *l.*	Scadlock, J., Fossgate	L
	Shepherd, John,* Walmgate.	
	Scott, John, Tryergate	L
11 *l.*	Simpson, John, Stonegate	L
	Smith, Thomas, Hungate	L
	Shepherd, William, Walmgate	L
	Smith, Samuel, Pm. Green	L
	Scruton, J., Walmgate	L
12 *l.* 10 *s.*	Stubs, Mark, ditto	L
	Straker, William, Hope-street	L
	Smith, William, Bootham	L
	Sunley, T., M. Gate	L
	Steel, Jos., Hungate	L
15 *l.*	Stabler, Robert, E. Parade	L
	Redeness	
	Severs, John, B. Street	L
	Stead, G., Groves	L
	Swift, R., Blossom-street, (Micklegate-bar)	L
50 *l.*	Shepherd, John, ditto	L
	u	
	Sanderson, J., ditto	L
	Smelt, G., Nunnery-lane	L
	Smith, G., Lawrence-street, (Cattle-market)	L
	Straker, J., ditto	L
13 *l.*	Scott, B., ditto, (St. Nicholas-street)	L
	Stead, P. Young, jun., ditto	L
	Sowerby, J., Coppergate	L
	Shepherd, C., Peter-lane	L
	Snowball, William, Swinegate	L
	Santon, Thomas, Minster-yard, (Grape-lane)	L
	Shepherd, R., Blake-street, (St. Helen's-square)	L
	Singleton, William, Aldwark	L
	Shutt, William, Queen-street	L
	Shutt, H., ditto	L
12 *l.* 10 *s.*	Sigsworth, David, Walmgate	L
10 *l.*	Segar, Thomas, Tower-place	L
	Shillitoe, R., Townend-street, (St. Sampson's-sq.)	L
	Thompson, John, Waterloo-buildings.	
21 *l.*	Turpin, William, Skeldergate	L
	Thomas, Robert,† Coney-street	L
	Taylor, Christopher, Micklegate	L
12 *l.*	Thornton, John, Feasegate	L
	Thorman, John, Beddern	L
	Todd, John, Goodramgate	L
	Turner, Thomas, Hungate	L
	Thackray, R., Petergate	L
	Thackwray, Robert, Swinegate	L
	Torevell, James, College-street	L
	Turner, Jonathan, ditto	L
	Thackray, Thomas, Beddern	L
	Thomas, William, Minster-yard	L
	Thornton, George, Aldwark	L
	Tudor, William, Ogleforth	L
	Thompson, Robert, Peter-lane.	

Rent.		
	Teasedale, Jos., First Water-lane	L & D
	Thackray, J., Blossom-street	L
	Thompson, T., Dale-street	L
	Thackray, T., Dove-street	L
	Turpin, D., Clementhorpe	L
18 *l.*	Thornton, T., Coppergate	L
	Taite, Thomas, Hungate, (Shambles)	L
13 *l.*	Turner, Josh., ditto	L
	Turner, John, Bishophill	L
	Taite, Thomas, Walmgate	L
	Taylor, Stephen, George-street	L
	First	
	Thomas, G., Middle W. Lane	L
	Thornam, J., Marygate	L
10 *l.*	Thompson, Matthew, Gillygate	L
	Tuke, B., Bootham	L
	Varley, G., Walmgate, Maison Dieu	L
20 *l.*	Varley, J., Heworth-moor	L
12 *l.*	Williamson, J., Grape-lane	L
	Wiggins, Josh., Albion-street	L
	Wand, R., Barkerhill	L
	Wilson, T., Swan-street	L
	Wirill, ——, ditto	L
	Whitfield, James, ditto	L
	Weaver, J., Dove-street	L
	Webster, W., Blossom-street	L
	Weathrill, T., Shambles	L
	Whitehead, W., ditto	L
12 *l.*	Whitewell, R., Colliergate	L
	Wright, W., Hungate	L
	Whitehead, W., ditto	L
	Wilson, George, Fossgate.	
13 *l.* 10 *s.*	Wright, J., Middle W. Lane	L
	Wilkinson, Ben., Garden-place	L
	Wrightson, William, Paver-lane	L
	Ward, William, Dundas-street	L
	Wiseman, William, Haver-lane	L
	Wilkison, Thomas, Walmgate	L
	Wetherill, H., Marygate	L
	Wisker, R., Lord-mayor's-walk	L
	Walton, S., Marygate	L
	Wolstenholme, Anthony, Clifton	L
20 *l.*	Waggett, Charles, Micklegate	L
	Wiggins, Josh., Skeldergate, (Albion-street)	L
	Watterworth, John, Simpson-row, (Tanner-row)	L
	Whitehead, John, Barkerhill	L & D
	Waterworth, Thomas, ditto	L & D
	Wolstenholme, J., Bootham Stray	L & B
14 *l.*	Wilton, Robert, Little Stonegate	L & D
	Weatherill, Robert, Hungate	L & D
12 *l.*	Wilkinson, Robert, St. Saviourgate	L & D
	Wilkinson, Robert, Castlegate	L & D
	Watson, Henry, Coney-street‡	L & B
21 *l.*	Walker, Thomas, Micklegate	L & D
	Wright, Robert, Maison Dieu	L & D
14 *l.*	Walton, James, Walmgate	L & D
15 *l.*	Wright, G., Monkgate	L
	Winter, R., ditto	L
	Wales, Elam, Bootham-square	L
10 *l.*	Walker, R., Redeness-street	L
	Wilkinson, Solomon, Layerthorpe	L
	Wentworth, William, Jubbergate	L
	Walker, P., ditto	L
	Ware, Thomas, Feasegate	L
	Wray, John, Thursday-market, (St. Sampson's-sq.)	L
	Wells, Thomas, Jubbergate	L
	Williamson, William, Silver-street	L
	Ward, Henry, King's-square	L
	Whitehead, Jonathan, ditto.	
	Whipp, John, St. Andrewgate	L
	Walker, William, Goodramgate	L
	Williamson, R., Grape-lane	L

* There are only three John Shepherds, and they all voted for Lowther, but not one lives in Walmgate.
† Should be Thomas. Entered wrong in the poll-book.
‡ Lives at Fulford, but in Cattle and Barber's shop.

Rent.		
	Waite, M., Little Stonegate	L
17 *l.*	Wright, John, Stonegate	L
	Waind, Thomas, jun., Petergate	L
	Whare, James, Goodramgate	L
	Willison, R. D., Aldwark, (Nunnery-lane)	L
15 *l.*	Wood, James, ditto	L
	Wales, Thomas, ditto	L
	Waite, William, St. Andrewgate	L
	Wadsworth, J., Walmgate	L
	Whitfield, J., Blake-street	L

Rent.		
	Webster, W., Walmgate	L
	Walker, Richard, Hungate	L
	Waind, William, Dundas-street	L
	Wales, Martin, Swinegate	L
	Williamson, E., Colliergate	L
	Watkinson, Thomas, Hope-street	L
	Young, Isaac, Coffee-yard	L & L
	Subsequent Letter.	
	Robert Ellison, hair-dresser, Walmgate	L

— No. 2. —

LIST of PERSONS to whom PARCELS were delivered by *Robert Shepherd.*

For whom Voted.	NAME.	RESIDENCE.	Freeman, or £. 10 Householder.
L	John Giles	Clifton	10 *l.* householder.
L	Thomas Hodgson	Clifton	10 *l.* householder.
L	John Doughty	Clifton	10 *l.* householder.
L	George Ellison	Clifton	Freeman.
L	Richard Farrow	Clifton	Freeman.
L	John Kay	Clifton	10 *l.* householder.
L	Richard Lambert	Clifton	Freeman.
L	Richard Lund	Stockton	- - Freeman (out of the city Parliamentary boundary).
L	John Scruton	Clifton	Freeman.
L	Thomas Scruton	Clifton	Freeman.
L	William Scruton	Clifton	Freeman.
L	John Shepherd	Clifton	10 *l.* householder.
L	William Snarey	Clifton	Freeman.
L	William Whare	Clifton	Freeman.
L	James Moss	Clifton	10 *l.* householder.
L	John Rhodes	- Redeness-street, or Duke of York-street.	Freeman.
L	William Hartley	Stockton	- - Freeman (out of the city Parliamentary boundary).
L	Thomas Smith	Dunnington	Freeman - - - ditto.
L	Michael Palfreeman	Dunnington	Freeman - - - ditto.
L & B	Edward Atkin	Elvington	Freeman - - - ditto.
L	Leonard Smith	Holtby	Freeman - - - ditto.
L	John Etty	Huntington	Freeman - - - ditto.
L	William Etty	Huntington	Freeman - - - ditto.
L & D	John Palfreyman	Kexby	Freeman - - - ditto.
L & D	John Palfreyman, jun.	Kexby	Freeman - - - ditto.
L	William Tindall	Poppleton	Freeman - - - ditto.
L	Thomas Pickard	Poppleton	Freeman - - - ditto.
L	John Noble	Osbaldwick	Freeman - - - ditto.
L	John Wells	Haxby	Freeman - - - ditto.
	—— Mortimer	Rufforth	Freeman - - - ditto.
	—— Mortimer	Rufforth	Freeman - - - ditto.
L	John Palmer	Goodramgate	Freeman.
	—— Meek	Gillygate	Freeman.

— No. 3. —

LIST of PERSONS Paid as MESSENGERS, by or on the part of the Honourable *J. C. Dundas*, after the York Election of 1835.

NAMES.	RESIDENCE.	Where rated at or above £. 10 by the City Commissioners.	NAMES.	RESIDENCE.	Where rated at or above £. 10 by the City Commissioners.
Avison, John	Paver-lane.		Bulmer, William	Girdlergate.	
Avison, Roger	Dundas-street.		Bulmer, George, jun.	Girdlergate.	
Barker, Thomas	Hungate.		Brown, William	Aldwark.	
Brown, Robert	Sampson's-square.		Bell, Henry	Hungate.	
Bridgwater, John	Ogleforth.		Bambridge, William	Goodramgate.	
Burton, William	Haver-lane.		Bowland, Francis	Peasholm-green.	
Bradley, John, jun.	Hungate.		Collins, John	Garden-place.	

NAMES.	RESIDENCE.	Where rated at or above £. 10 by the City Commissioners.
Crampton, Joseph	Dundas-street.	
Chaplin, Anthony	Lord-mayor's-walk.	
Dodgson, John	Ogleforth.	
Dalton, Francis	Layerthorpe.	
Dixon, James	Colliergate	15 *l.*
Fossett, Joseph	Goodramgate	10 *l.*
Graves, John	St. Andrewgate.	
Gill, John	Ditto.	
Hopps, John	Hungate.	
Hurworth, Lewis	Ogleforth.	
Hardisty, William	Silver-street.	
Hammond, Thomas	Hungate.	
Hudson, Henry	Aldwark.	
Hare, Matthew	Goodramgate.	
Hare, William	—	
Harton, Thomas	Goodramgate.	
Harton, Amos	Bedern.	
Jameson, George	Hungate.	
Jewitt, John	Shambles.	
Kirby, Henry	Patrick-pool.	
Linton, James	Lord-mayor's-walk.	
Laycock, John	Palmer-lane.	
Lyon, William	Heworth.	
Lazenby, George	Peaseholm-green.	
Lawson, William	Redeness-street.	
Precious, John	Hungate.	
Proctor, Jeffrey	Girdlergate.	
Perry, John	Dundas-place.	
Pollard, Henry	Peaseholm-green.	
Rawdon, Christopher	Monkbar.	
Radge, William	Hungate	24 *l.*
Robinson, William	Goodramgate.	
Ruddock, William	Gillygate.	
Rounthwaite, John	Pump-yard.	
Spink, John	Ogleforth.	
Sacker, Charles	Heworth-moor.	
Sadler, John	Garden-place.	
Scowby, Thomas	Layerthorpe.	
Streeton, George	Bedern.	
Thompson, Henry	Duke of York-street.	
Thompson, Thomas	Hungate.	
Thompson, Ralph	Swinegate.	
Thompson, George	Finkle-street.	
Turner, James	Jubbergate	10 *l.*
Wales, Martin	Swinegate.	
Wainwright, John	Lord-mayor's-walk.	
Walker, John	Jubbergate.	
Wand, Thomas	Bilton-street.	
Walker, Peter	Peaseholm-green.	
Williamson, Thomas	Aldwark.	
Williamson, Henry	St. Andrewgate.	
Ward, Thomas	Goodramgate	20 *l.*
Wilkinson, David	Ditto.	
York, John	Lord-mayor's-walk.	
Iveson, John	Aldwork.	
Botterill, Joseph	St. Andrewgate.	
Holmes, Charles	Dove-street.	
Bussey, John	—	
Bussey, Thomas	—	
Anderson, William	Foundry-yard, Walmgate.	
Atkinson, Humphrey	Cattle-market	16 *l.*
Atkinson, William	Lawrence-row.	
Agar, John	Hope-street.	
Alderson, Jacob	Fossgate.	
Brown, Wm., painter	Walmgate.	
Brown, W., sen., joiner	Ditto.	
Bean, Thomas	Spurriergate.	
Blanchard, Robert	Hope-street.	
Blanchard, Henry	Nessgate.	
Bell, David	Walmgate.	
Birkbeck, James	Hope-street.	
Burrill, William	Ditto.	
Barber, Thomas	Walmgate.	
Bennington, John	Ditto.	
Benson, George	Ditto.	
Bartliff, James	St. Nicholas.	
Bowman, John	St. George-street.	
Back, William	Low Ousegate.	
Bennington, Francis	Walmgate.	
Birkbeck, John	Hope-street.	
Brown, Matthew	Ditto.	
Brown, Richard	Foss-bridge.	
Carbutt, George	St. Dennis.	
Cobb, George	Walmgate.	
Cobb, John	Ditto.	
Cooke, Samuel	First Water-lane.	
Chapman, John	Walmgate.	
Dimier, John	Merchant's-hall.	
Dixon, William	Walmgate.	
Dixon, Joseph	Ditto.	
Dixon, John	Ditto.	
Darbyshire, James	Peter-lane.	
Elliott, Robert	Castle-mills.	
Fairfoot, William	Walmgate	25 *l.*
Fawcett, Thomas	Ditto.	
Ellison, Robert	Fossgate.	
Fawcett, Charles	Walmgate.	
Gibson, Peter	Ditto.	
Gray, George	Ditto.	
Garnett, John	Fossgate.	
Greensides, William	Staith.	
Handley, Thomas	Heslington-lane.	
Hunter, John	Shambles	18 *l.*
Harrison, Matthew	St. Margaret's	11 *l.*
Hunter, George	Shambles.	
Hurworth, Robert	Lawrence-street.	
Harrison, Thomas	Staith.	
Horsman, James	Middle Water-lane.	
Jennings, William	Spurriergate.	
Jackson, J., cordwainer	Pavement.	
Leadley, George	Walmgate.	
Lawrence, John	Ditto.	
Lawrence, James	Ditto.	
Lawrence, Thomas	Ditto.	
Lawrence, George	Ditto.	
Lawson, William	Fulford.	
Musgrave, Thomas	Lawrence-street.	
Mortimer, Joseph	Walmgate.	
Melrose, Thomas	Ditto.	
Marshall, Thomas	Foss-bridge.	
Myers, Richard	St. Margaret's.	
Nixon, John	Regent-street.	
Owen, Samuel	Castlegate.	
Penty, Robert	Lawrence-street.	
Penty, Robert, jun.	Retreat.	
Parker, Anthony	Lawrence-street	20 *l.*
Perry, Francis	Walmgate.	
Perry, John	Ditto	20 *l.*
Russell, Robert	Fossgate.	
Rayson, Henry John	High Ousegate	10 *l.*
Smales, Richard	Walmgate-bar.	
Settle, George	Walmgate.	
Smailes, George	Walmgate-bar.	
Smithies, Christopher	Long-close.	
Smith, Daniel	Heslington.	
Scaife, William	Peter-the-Little.	
Stout, George	Middle Water-lane.	
Steel, Henry	Hope-street.	
Sanderson, John	Waterloo-buildings.	
Turner, James	Walmgate.	
Thompson, John	Peter-lane.	
Thompson, Benjamin	Staith	27 *l.*
Teasdale, Joseph	First Water-lane.	
Thompson, John	Castlegate, Church-lane.	
Thompson, Thomas	Coppergate.	
Wilberforce, Walter	Walmgate	40 *l.* jointly.
Wilberforce, Walt. jun.	Ditto	
Webster, George	Ditto.	
Watson, Thomas	Ditto.	
Woodburn, James	Peter-lane.	
Wilson, John	Walmgate	18 *l.*

(*continued*)

NAMES.	RESIDENCE.	Where rated at or above £. 10 by the City Commissioners.
Wadsworth, John	Walmgate.	
Wrightson, William	St. Margaret's.	
Vause, John	Hope-street.	
Birks, ——	—	
Turner, Richard	—	
Holmes, Francis	Providence-place.	
Gilbank, John	Ditto.	
Thorpe, William	Tanner-row.	
Hardy, John	Queen-street.	
Land, William	Dale-street.	
Turpin, George	North-street.	
Spink, Thomas	Ditto.	
Porter, William	Ditto.	
Fountain, John	Ditto.	
Bakes, John	Ditto.	
Howton, William	Ditto.	
Thackray, Thomas	Ditto.	
Lythe, Robert	Holgate-lane.	
Holmes, Thomas	Tanner-row.	
Camidge, William	Ditto.	
Leadley, John	Hungate.	
Shonksmith, Joseph	Bishophill	12 *l.*
Groves, George	Micklegate.	
Smith, Thomas	Ditto.	
Fletcher, Thomas	Providence-place.	
Creaser, Thomas	Toft-green.	
Dobson, William	Trinity-lane.	
Walker, George	Tanner-row.	
Calvert, Thomas	Dale-street.	
Waddington, Robert	North-street.	
Masterman, Thomas	Swann-street.	
Hebditch, James	Micklegate-bar.	
Fligg, Thomas	Skeldergate.	
Holliday, Edward	Thief-lane.	
Precious, Thomas	Ditto.	
Smith, John	Micklegate-bar.	
Catchasides, William	North-street.	
Porter, William	Ditto	- - (twice entered.)
Bridgewater, Thomas	Ditto.	
Snow, John, sen.	Ditto.	
Snow, John, jun.	Ditto.	
Wilberfoss, John	Dale-street.	
Wyrill, William	Ditto.	
Ward, John	North-street.	
Santon, Thomas	Providence-place.	
Precious, Thomas	Trinity-lane.	
Kirby, Thomas	Nunnery-lane.	
Ward, George	Trinity-lane	13 *l.*
Hartley, Amos	Micklegate-bar.	
Daniel, William	North-street.	
Addinall, William	Ditto.	
Darling, Robert	Trinity-lane.	
Topham, William	Micklegate-bar.	
Harker, John	Dale-street.	
Johnson, Andrew	Ditto.	
Dalby, Robert	Micklegate.	
Land, Richard	Tanner-row.	
Johnson, Joseph	Micklegate.	
Underwood, George	St. Martin's-lane.	
Evers, Richard	Micklegate.	
Leadley, John	Hungate	- - (twice entered.)
Whincup, William	Bishophill.	
Porter, William	North-street	- (3 times entered.)
Rayson, William	Goodramgate.	
Crampton, Joseph	Dundas-street	- - (twice entered.)
Sanderson, James	Micklegate.	
Sturdy, Henry Thomas	Wellington-row.	
Barnby, Samuel	Tanner-row.	
Mason, John	Simpson's-row.	
Holmes, Charles	Nunnery-lane.	
Greensides, William	Staith	- - (twice entered.)
Marshall, Richard	Bishophill.	
Blunt, Joseph	North-street.	
Lythe, Robert	Holgate-lane	- - (twice entered.)
Cooper, Charles	Micklegate.	
Weatherill, ——	North-street.	
Dinsdale, Bryan	Ditto.	
Calvert, Edward	Queen-street.	
Fentiman, William	Skeldergate.	
Fentiman, Thomas	Ditto.	
Richmond, John	Trinity-lane.	
Nutbrown, James	Bishophill.	
Dickinson, Wm. B.	North-street.	
Smith, Wm. Sanderson	Tanner-row.	
Pearson, William	Barker-lane.	
Scruton, Thomas	Micklegate-bar.	
Harrison, Robert	Swann-street.	
Croft, William	Trinity-lane.	
Walker, David	North-street.	
Lumley, Edward	Lord-mayor's-walk.	
Walker, Thomas	Micklegate.	
Prince, Matthew	Dale-street.	
Joy, Matthew, jun.	Skeldergate.	
Dagnall, William	Ditto.	
Burnett, Thomas	Bishophill.	
Banks, James	Wesley-place.	
Foster, William	North-street.	
Holmes, William	Trinity-lane.	
Jefferson, Robert	Barker-lane.	
Cox, John	Micklegate-bar	14 *l.*
Bywater, George	Ditto.	
Sanderson, John	Petergate	14 *l.*
Brown, Thomas	Stonegate.	
William Gibbons	Petergate.	
Benjamin Walker	Ditto	11 *l.*
John Todd	Ditto	13 *l.*
Thomas Freer	Girdlergate.	
William Douglas	Ditto	10 *l.*
William Wand	Petergate.	
George Richardson	Silver-street.	
Richard Meek	Gillygate.	
John Meek	Ditto.	
Silvester Meek	Ditto.	
Thomas Holmes	Coffee-yard.	
Thomas Relph	Bootham-row.	
William Randerson	Pepper-mill.	
John Randerson	Ditto.	
Thomas Spetch	Coney-street.	
John Holmes	Ditto.	
George Tinsley	Ditto	14 *l.*
George Noble	Bootham.	
Thomas Dunning	Marygate.	
Thomas Bulmer	Bootham-row.	
Sidney Johnson	Davygate.	
Matthew Pattison	Dunnington.	
Henry Penrose	Water-lane.	
William Knapton	Jubbergate.	
Edward Jewitt	Gillygate.	
John Sanderson	Waterloo-buildings	- - (twice entered.)
William Sanderson	Bootham-row.	
Richard Wood	Groves.	
John Clayton	Bootham.	
John Hudson	Cole-street.	
Jonathan Temple	Bedern.	
William Cowper	Petergate	10 *l.*
William Birks	Ditto.	
John Hudson	Cole-street	- - (twice entered.)
Henry Hudson	Aldwark.	
Robert Watson	Gillygate.	
Peter Houlden	Petergate.	
Robert Sanderson	Ditto.	
Richard Oakes	Bootham-row.	